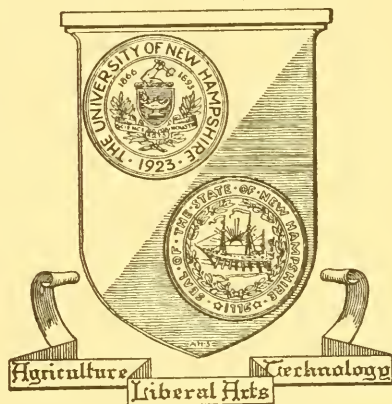


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HOUSE OF REPRESENTATIVES
JANUARY SESSION OF 1961

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

JANUARY SESSION OF 1961

WEDNESDAY, JANUARY 4, 1961

The House met at 11:00 o'clock.

On the first Wednesday in January, the year of our Lord, one thousand nine hundred and sixty-one, being the day designated by the Constitution for the assembling of that body, the one hundred and thirty-seventh General Court of the State of New Hampshire convened at the Capitol in the City of Concord, and the representatives elect were called to order by Francis W. Tolman, Clerk of the House for the preceding session.

Prayer was offered by the Chaplain, Reverend George Pennington as follows:

Eternal God, we invoke the blessing of Thy wisdom upon this, the 137th General Court of the State of New Hampshire. We ask that Thy grace may be bestowed on all here assembled to the end that all persons who bear public responsibility may apply to their duties deliberate thoughtfulness, moral commitment, and patient and skillfull resourcefulness in the human relations of government. In the weeks and months ahead may legislative and executive branches of government openly deal with the trusts they mutually share on behalf of the citizens of our State and may uncompromising integrity characterize their relationships. Let the appreciative response of citizens wisely governed be the approval of legislation accomplished here, and may the members of the General Court find their stewardship of the Almighty in the service of their fellowmen. Amen.

Mr. Larty of Haverhill led the House of Representatives in the salute to the flag. The acting Clerk proceeded to call the roll, and 384 members answering to their names, a quorum was declared present.

On motion of Mr. Deans of Milford:

Resolved, That a committee of three be appointed by the Clerk to wait upon His Excellency, the Governor, and inform him that a quorum of the House is assembled and requests his attendance.

The Clerk appointed Mr. Mulaire of Hooksett, Mrs. Taylor of Whitefield and Mr. King of Manchester.

His Excellency, the Governor, having been informed that a quorum of the House was assembled, appeared, and the following named ladies and gentlemen having presented their credentials, were duly qualified by His Excellency as members of the House of Representatives by taking, and subscribing to the oath of office agreeably to the provisions of the Constitution.

Rockingham County: Barker, Bowles, Carkin, Carter, Cassassa, Chandler of Portsmouth, Cheney, Clark of Kingston, Colishaw, Cross, Dame, Deming, Driscoll, Eastman of Exeter, Felch, Gay, Greene of Rye, Griffin, Hackett, Hislop, Hunter, Ingraham, Jenkins, Keefe, Kimball of Derry, Langford, Magoon, McDaniel, Murch, Nickerson of East Kingston, Osborn, Palmer, Peever, Persson, Pinkham, Purington, Roulston, Scott of Deerfield, Scott of Derry, Sewall, Shepard, Spollett of Chester, Spollett of Hampstead, Stafford, Tufts, Twardus, Vey, Waterhouse, Weeks, White of Atkinson, White of Derry, White of Portsmouth, Ward 4, White of Portsmouth, Ward 5, Wylie.

Strafford County: Adams of Madbury, Berry, Bevan, Blanchette, Clark of Lee, Clement, Colbath, Cormier, Drew, Fellows, Flanagan, Gilman of Farmington, Green of Rollinsford, Grimes, Habel, Heald, Johnson of Rochester, Karkavelas, Leighton, Littlefield, Littlehale, Maloomian, Marsan, Maxfield, O'York, Potvin, Reid, Richardson, Rolfe, Stonemetz, St. Pierre, Varney, Watson of Rochester, Wiggin of Dover, Wyatt.

Belknap County: Allan of Meredith, Ayre, Dulac, Harkins, Howe, Jones, Joslyn, Lacaillade, Lord, MacIsaac, McAllister, Matheson, McCarthy, Normandin, O'Shan, Prescott, Robertson, Rollins, Smith, Stothart, Urie, Watson of Belmont.

Carroll County: Blake, Brown of Sandwich, Chamberlain, Chandler of Bartlett, Claflin, Davis of Conway, Fox, Hill of Conway, Kurth, Lamprey, Nickerson of Tamworth, Roberts, Taylor of Ossipee, Thompson of Effingham.

Merrimack County: Allen of Concord, Asby, Audet, Barnard, Bigelow, Bingham, Boomhower, Brewster, Broek, Brown of Danbury, Brown of Loudon, Carpenter, Charland, Daniell of Franklin, Davis of Concord, Gibson, Gilman of Franklin, Gove, Guilbeault, Hancock, Hanson, Henry, Hutchinson, Jennings of Concord, Keith, Kenevel, London, Lovejoy, Maxham, McKay, Moore, Mulaire, Newell of Concord, Newell of Hopkinton, Phelps, Plourde, Quinn, Rufo, Sanders, Stevens, Tarrant, Thi-beault, Thompson of Northfield, Welch, York.

Hillsborough County: Ainley, Allard, Aucella, Bartlett, Belanger, Belcourt, Bergeron, Betley, Boisvert, Bouley, Bou-thillier, Bragdon, Brocklebank, Brosnahan, Buckley, Bruton, Burke, Cary, Carmen, Casey, Chapdelaine, Chartrain, Clancy, Cole, Compagna, Cooper, Cote, Craig, Crowley, Cullity, Daniel of Manchester, Deans, Delisle, Dionne of Nashua, Ward 2, Dionne of Nashua, Ward 6, Dumas, Dupont, Ecker, Edwards, Eaton, Eastman of Weare, Falconer, Farwell, Gallagher, Gammache, Geisel, Goode, Grandmaison, Hambleton, Hart, Hayes, Hayward of Milford, Hazeltine, Healy of Manchester, Ward 8, Hurley, Jennings of Goffstown, Karnis, Kearns, King, Kirk-orian, LaFrance, Lang, Laval, LeClerc, Lemay, Lesmerises, Linehan, Mahony, Manning, Marcoux, Martel, Mason, Maynard, Milliken, Morris, Nalette, Nickerson of Goffstown, Noel, Nolan, O'Connor, Pappagianis, Peabody, Peterson, Pettigrew, Pickering, Pillsbury, Plante, Provencal, Rice, Roche, Rosedoff, Rousseau, Sablusk, Soucy, Sullivan, Szelog, Taft, Tessier, Underhill, Vachon, Walsh, Warren, Wiggin of Bedford, Willard.

Cheshire County: Allen of Rindge, Ballam, Bennett, Brown of Keene, Clark of Harrisville, Congdon, Cournoyer, Crain, Desmarais, Faulkner, Frost, Galloway, Gowing, Hackler, Keating, Kershaw, Kretowicz, McCullough, Miskelly, Oliver, O'Neil, Parker, Pickett, Sawyer, Stearns, Terrill, Turner, Watkinson, Wildey.

Sullivan County: Angus, Bailey, Barrows, Bascomb, Campbell, Cann, D'Amante, Delude, Desnoyer, Downing, Frizzell,

Gaffney, Guest, Merrifield, Nahill, Prudhomme, Rowell, Spalding, Vaughan, Weber, Williamson.

Gratton County: Adams of Lebanon, Anderson, Barney, Beard, Bell, Berringer, Bowler, Bradley, Burrill, Chandler of Canaan, Collyer, Coutermarsh, Cushman, Demers, Gage, Gilbert, Haskins, Hayward of Hanover, Hill of Littleton, Johnson of Franconia, Karsten, Kinghorn, Lamotte, Larty, Loizeaux, Low, Martin, McGee, Morse, Neale, Paquette, Plumer, Porter, Stevenson, Whipple, Willey.

Coos County: Bouchard, Bragg, Brooks, Bushey, Converse, Crockett, Desilets, Dumont, Emerson, Fontaine, Fortier, Gagnon, Graham, Kimball of Jefferson, Ledoux, Marsh, Oakes, Perreault, Potter of Milan, Potter of Northumberland, Roy, Sheridan, Stinson, Taylor of Whitefield, Vashaw.

Governor Powell welcomed the members of the House of Representatives and extended a cordial invitation to visit with him and his department at any time.

The Clerk stated that the first order of business was the election of a temporary presiding officer.

Mr. Galloway of Walpole placed in nomination Mr. Rowell of Newport and moved his election.

On a *viva voce* vote Mr. Rowell of Newport was declared elected temporary presiding officer and was escorted to the Chair by Mr. Hambleton of Goffstown and Mr. Craig of Manchester.

(Mr. Rowell of Newport in the Chair)

On motion of Mr. Deans of Milford the House proceeded to the election of a Speaker.

Mr. Clement of Rochester placed in nomination Mr. Lamprey of Moultonboro. Mr. Galloway of Walpole seconded the nomination.

Mr. McGee of Lincoln nominated Mr. King of Manchester. Mr. Craig of Manchester seconded the nomination.

Mr. King of Manchester declined the nomination and moved that the nominations be closed and that the Clerk

cast one ballot for Stewart Lamprey of Moultonboro for Speaker. Mr. McGee of Lincoln seconded the motion.

The motion was unanimously adopted and Mr. Lamprey of Moultonboro was declared Speaker and escorted to the Chair by Miss Spollett of Hampstead and Mr. Sheridan of Berlin.

Mr. Deans of Milford placed in nomination for Clerk, Francis W. Tolman of Nelson, Assistant Clerk, John Milton Street of Sharon, for Sergeant-at-Arms, Lloyd E. Fogg of Milan, for Doorkeepers, George Young of Campton, Mrs. Florence N. Gould of Errol, Mrs. Bertha Boutwell of Concord, Harry J. A. Robinson of Dover and Herbert Richardson of Randolph.

Mr. King of Manchester moved that the nominations be closed and the Clerk cast one ballot for the above candidates and they were declared elected.

Mr. Deans of Milford offered the following resolution:

Resolved, That the Honorable Senate be informed that the House of Representatives has organized by the choice of Stewart Lamprey as Speaker, Francis W. Tolman as Clerk, John Milton Street as Assistant Clerk, Lloyd E. Fogg as Sergeant-at-Arms and George Young, Florence N. Gould, Bertha Boutwell, Harry J. A. Robinson and Herbert Richardson as Doorkeepers.

The Resolution was unanimously adopted.

Senate Messages

The Senate has organized by the choice of Samuel Green as President, Benjamin F. Greer as Clerk. Nathan Tirrell as Sergeant-at-Arms, and Esther L. Hurd as recorder.

The Senate has passed the following resolution:

Resolved, That the House of Representatives be informed that the Senate will be ready to meet the House in joint convention for the purpose of canvassing votes for Governor and counsellors agreeably to the provisions of the Constitution and for the election of a secretary of state and state treasurer.

Mrs. Griffin of Auburn offered the following resolution:

Resolved, That the Honorable Senate be informed that the House of Representatives will be ready to meet the Senate in Joint Convention for the purpose of canvassing the votes for

Governor and Councilors agreeable to the Constitution and for the election of a Secretary of State and State Treasurer.

On a *viva voce* vote the resolutions were adopted.

(Recess)

Joint Convention

Mr. Normandin of Laconia offered the following resolution:

Resolved, That the Honorable Acting Secretary of State be requested to lay before the convention the returns of the votes for Governor and Councilors cast in the last election.

On a *viva voce* vote the resolution was adopted.

The Honorable Secretary of State then appeared and laid before the convention the returns of the votes for Governor and Councilors.

Mr. Willey of Campton offered the following resolution:

Resolved, That the votes for Governor and Councilors be referred to a committee consisting of one on the part of the Senate and two on the part of the House to compare and count the same and report thereon.

On a *viva voce* vote the resolution was adopted and the Speaker appointed Senator Phillips of District No. 8, Messrs Gove of Concord and Pappagianis of Nashua to the committee.

Report of Committee

Senator Phillips for the Joint Committee, to whom was referred the return of the votes cast for Governor and Councilors at the last biennial election, reported that it had examined, compared and counted the same, with the following result:

1960
FOR GOVERNOR

	Powell	Boutin
Rockingham	29,152	14,935
Strafford	14,609	12,811
Belknap	8,456	6,144
Carroll	7,288	1,950
Merrimack	16,816	16,222
Hillsborough	45,093	44,050
Cheshire	10,541	9,217
Sullivan	7,038	6,328
Grafton	13,156	8,645
Coos	8,974	9,102
	<hr/>	<hr/>
	161,123	129,404

FOR COUNCILORS

First District

Philip A. Robertson, r, Conway	27,559	
Romeo J. Lavigne, d, Berlin	18,435	
	<hr/>	
Plurality for Robertson		9,124

Second District

Andrew H. Jarvis, Portsmouth, r,	36,098	
John J. Cahill, d, Exeter	24,659	
	<hr/>	
Plurality for Jarvis		11,439

Third District

Roger E. Brassard, d, Manchester	31,501	
Henry J. Saindon, r, Manchester	23,483	
	<hr/>	
Plurality for Brassard		8,018

Fourth District

Harold Weeks, r, Hinsdale	32,992	
Royal W. Dion, d, Nashua	29,728	
	<hr/>	
Plurality for Weeks		3,264

Fifth District

James H. Hayes, r, Concord	32,823
Robert J. Morin, d, Franklin	20,693

Plurality for Hayes 12,130

The report was accepted.

Mr. Martel of Manchester offered the following resolution:

Resolved, That a committee of seven be appointed by the Chair to wait upon the Honorable Wesley Powell and inform him officially of his election as Governor of the State of New Hampshire.

The resolution was adopted and the Chair appointed Senator Humphreys of District No. 24, Senator Caron of District No. 17, Mrs. Ayre of Laconia, Messrs. Angus of Claremont, Clement of Rochester and King of Manchester as members of the committee.

Mr. Maxham of Concord offered the following resolution:

Resolved, That a committee of five be appointed by the Chair to wait upon the Honorable Councilors: Philip A. Robertson, Andrew H. Jarvis, Roger E. Brassard, Harold Weeks and James H. Hayes and inform them officially of their election to the Honorable Council.

The resolution was adopted and the Chairman appointed as members Senator Sawyer of District No. 4, Senator La-Montagne of District No. 1, Collishaw of Exeter, Peterson of Peterborough, and Mrs. Neale of Hanover.

Mrs. DeLude of Unity offered the following resolution:

Resolved, That the Convention proceed with the election of a Secretary of State.

On a *viva voce* vote the resolution was adopted.

Mr. Chandler of Bartlett placed the name of Robert L. Stark before the Convention as nominee for the Secretary of State. Miss Spollett of Hampstead seconded the nomination. Mr. Pickett of Keene moved that the nominations be closed and that the Clerk cast one ballot for the election of Robert L. Stark as Secretary of State.

On a *viva voce* vote the motion prevailed.

The Chairman declared Mr. Robert L. Stark duly elected Secretary of State.

Mr. Pappagianis of Nashua offered the following resolution:

Resolved, That the Convention proceed with the election of a State Treasurer.

On a *viva voce* vote the resolution was adopted.

Committee Report

Senator Humphreys from District No. 4 reported that the committee appointed to wait upon the Governor had attended to its duties.

Mr. Vaughan of Newport placed in nomination Mr. Alfred S. Cloues as Treasurer. Senator McMeekin of District No. 3 seconded the nomination.

Mr. Pickett of Keene moved that the nominations be closed and that the Clerk cast one ballot for the election of Alfred S. Cloues as Treasurer.

On a *viva voce* vote the motion prevailed.

The Chairman declared Mr. Alfred S. Cloues duly elected Treasurer.

On motion of Senator Caron, District No. 17 the Convention rose.

HOUSE

Mr. Bell of Plymouth offered the following resolution:

Resolved, That the Speaker of the House be authorized to appoint one custodian of mails and supplies, one warden of the coat room, one assistant warden of the coat room, one library messenger, one telephone messenger, five pages and one page to the Speaker.

On a *viva voce* vote the resolution was adopted.

Mr. Chandler of Bartlett offered the following resolution:

Resolved, That the Speaker be empowered to engage the services of an attorney as Counsel to the House, whose duties

shall be to act as legal counsel to the Representatives rendering them assistance in the preparation of bills, amendments and resolutions and such other legal advice as they may request pertaining to their duties as representatives; and to the Speaker in the execution of his duties as the presiding officer; and,

Be it further resolved, that said Counsel to the House, with the approval of the Speaker, be empowered to employ such stenographic assistance as may be necessary to fulfill the requirements of his office.

On a *viva voce* vote the resolutions were adopted.

Mr. Karkavelas of Dover offered the following concurrent resolutions:

Concurrent Resolutions

for the assignment of rooms on the third floor of the state house.

Resolved, by the House of Representatives the Senate concurring:

That the Speaker of the House of Representatives and the President of the Senate be, and hereby are, authorized to take over immediately such rooms on the third floor of the state house as may be necessary for the use of said House of Representatives and Senate for committee hearing rooms.

On a *viva voce* vote the resolution was adopted.

Mr. Bigelow of Warner offered the following resolution:

Resolved, That the Clerk, with the approval of the Speaker, may employ such stenographic and other clerical assistance as they may deem necessary.

On a *viva voce* vote the resolution was adopted.

Mr. Taft of Greenville offered the following resolution:

Resolved, That a committee of ten members, one from each county, be appointed by the Chair to select some suitable person to act as Chaplain during the present session of the

Legislature and report such selection to the House for consideration.

The resolution was adopted and the Chair appointed as members of such committee the following: Maxham of Concord, Urie of New Hampton, Littlehale of Durham, Langford of Raymond, Hart of Manchester, Watkinson of Fitzwilliam, Miss Bailey of Newport, Larty of Haverhill, Mrs. Gagnon of Berlin and Mrs. Brown of Sandwich.

Mr. Smith of Meredith offered the following resolutions:

Resolved, That a committee of four be appointed by the Speaker to assist the Clerk in providing as soon as possible 1,000 paper bound copies and 500 cloth bound copies of the Legislative Manual in substantially the same form and binding as that of 1959.

The resolution was adopted and the Speaker appointed as members of such committee the following: Mrs. Ayre of Laconia, Peterson of Peterborough, Daniell of Franklin and Healy of Manchester, Ward 6.

Mr. Newell of Concord offered the following resolution:

Resolved, That the Joint Rules of the 1959 session be adopted as the Joint Rules of the Senate and House for this Session.

On a *viva voce* vote the resolution was adopted.

Mr. Hanson of Bow offered the following resolution:

Resolved, That the Speaker appoint a committee of four to assign seats to the members.

The resolution was adopted and the Speaker appointed on such committee Hambleton of Goffstown, Deans of Milford, Martel of Manchester, and Allen of Meredith.

Mr. Downing of Newport offered the following resolution:

Resolved, That the Speaker be authorized to appoint a committee of three to procure and assign suitable hearing rooms for various committees of the House.

The resolution was adopted and the Speaker appointed the following: Bigelow of Warner, Mrs. Lord of Gilford and Sheridan of Berlin.

Committee Report

The committee appointed to select a Chaplain for this session of the Legislature has met and considered the matter and herewith submits as our choice the name of Rev. George J. W. Pennington, of Concord, who served in that capacity during the 1959 session.

The report was accepted.

Mr. Craig of Manchester offered the following motion:

That the rules of the last session of the Legislature be adopted with the following amendments:

Amend the index of the House Rules by inserting after Rule "48" the following:

48-a. Printing of amendments offered from floor.

Further amend the index by adding after "57" the following new titles:

Expediting Business

58. Senate bills and resolutions introduced after closing date.

59. Referred to next legislature.

60. Speaker may call bills from committee.

61. Operating budgets bills contained only in annual budget bills.

Amend the first paragraph of Rule 35 by striking out the word "Appropriations" in the third line and inserting after the word "game" in the fifth line the words, General Appropriations; further amend said paragraph by striking out the word "Claims" in the fourth line and inserting after the word "Administration" in the fourth line the word, Finance, so that said paragraph as amended shall read as follows:

35. The following standing policy committees, to consist of twenty-one members each, shall be appointed at the com-

mencement of any session: Committees on Agriculture; Aviation; Banks; Education; Executive Departments and Administration; Finance; Fish and Game; General Appropriations; Insurance; Judiciary; Labor; Liquor Laws; Military and Veterans' Affairs; Municipal and County Government; Resources, Recreation and Development; Public Health; Public Works; Public Welfare and State Institutions; Transportation; and Ways and Means.

Further amend Rule 35 by striking out the fourth paragraph and inserting after the eleventh paragraph the following new paragraph:

It shall be the duty of the committee on General Appropriations to examine and take into consideration the state of the general and unrestricted funds of the treasury; to consider the budget and all other measures carrying appropriations primarily from the general funds, every subject concerning the general financial interests of the state, and such other matters as may be referred to it.

Further amend Rule 35 by striking out the seventh paragraph and inserting after the tenth paragraph the following new paragraph:

It shall be the duty of the committee on Finance to examine and take into consideration the state of the restricted funds of the state, to consider the budgets of state agencies operating primarily as self-sustaining or on restricted revenues and all other measures carrying appropriations from restricted revenues, to consider and report on all claims against the state whether chargeable against general or restricted revenues, and such other matters as may be referred to it.

Amend the rules by inserting after rule 48 the following new rule:

48-A. If an amendment to a bill or joint resolution, which is offered from the floor without previous notice in the journal, is adopted by the House on second reading, and if the speaker rules that the change is material, such bill or joint resolution shall not be ordered to third reading sooner than the morning session of the next legislative day in order that such amend-

ment may appear in the journal; and before the question of ordering the third reading of such bill or joint resolution shall be put, a motion to reconsider the adoption of such material amendment shall be in order.

Amend rule 49 by striking out said rule and inserting in place thereof the following:

49. All bills and joint resolutions appropriating state money, reported from any committee, shall be referred to the Committee on General Appropriations or to the Committee on Finance, as the case may be, for revision. If any such bills or joint resolutions have been referred jointly to either of such appropriations committees and another standing committee, the appropriations committee may report separately but without holding a separate and additional public hearing.

Amend rule 56 by striking out the word "Appropriations" and inserting in place thereof the words, General Appropriations, so that said rule as amended shall read as follows:

56. The elective and appointive non-member officers and attaches of the House shall be under the direction of the Speaker, who shall define the duties not fixed by statute or otherwise ordered by the House. Their compensation, when not fixed by statute or otherwise ordered by the House, shall be determined by the committee on General Appropriations.

Amend rule 57 by striking out the word "Appropriations" and inserting in place thereof the words, General Appropriations, so that said rule as amended shall read as follows:

57. No officer or attache of the House during the session or any adjournment thereof shall purchase or contract for the purchase, pay or promise to pay any sum of money on behalf of the House or issue any requisition or manifest without first securing the approval in writing of the General Appropriations committee or such member or subcommittee of the same as said committee may designate for the purpose.

Provided that further amendments to the standing rules of the House may be adopted by majority vote during the next six legislative days.

On a *viva voce* vote the motion was accepted and the amendments were adopted.

Leaves of Absence

Mr. Locke of New Boston was granted leave of absence for the day on account of important business.

Mr. Dempsey of Franklin, Ward 3 was granted leave of absence for three weeks on account of illness.

Introduction of Bills

The following House Bills and House Joint Resolutions were severally introduced, read a first and second time, and referred as follows:

By Mr. Clement of Rochester, House Bill No. 1, An Act relative to state advertising. To the committee on Appropriations.

By Mr. Maxham of Concord, Ward 7, House Bill No. 2, An Act relative to eating places and for correction of references in statutes. To the committee on Public Health.

By Mr. Maxham of Concord, Ward 7, House Bill No. 3, An Act relative to definition of adulteration of milk and milk products. To the committee on Public Health.

By Mr. Maxham of Concord, Ward 7, House Bill No. 4, An Act relative to radiation protection. To the committee on Public Health.

By Mr. Sheridan of Berlin, House Bill No. 5, An Act relative to reports of inquests by medical referees. To the committee on Executive Departments and Administration.

By Mrs. Ayre of Laconia, House Bill No. 6, An Act relative to improvements at Laconia State School. To the committee on Public Welfare and State Institutions.

By Miss Loizeaux of Plymouth, House Bill No. 7, An Act abolishing the school district of the town of Dorchester and transferring the education of children of said town to the state. To the committee on Municipal and County Government.

By Miss Loizeaux of Plymouth, House Bill No. 8, An Act increasing the salary of the Grafton county attorney. To the Special Committee consisting of the members of the Grafton County Delegation.

By Mr. Larty of Haverhill, House Bill No. 9, An Act relative to payment of expenses of the 1959 session of the constitutional convention. To the committee on Appropriations.

By Mr. Willey of Campton, House Bill No. 10, An Act prohibiting the sale of certain flammable liquids in glass containers. To the Committee on Executive Departments and Administration.

By Mr. King of Manchester, Ward 10, House Bill No. 11, An Act relative to names of business corporations. To the committee on Executive Departments and Administration.

By Mr. Gibson of Concord, Ward 4, House Bill No. 12, An Act relative to regulations for use of limited access highways. To the committee on Public Works.

By Mr. Gibson of Concord, Ward 4, House Bill No. 13, An Act relative to classification of turnpikes and interstate highways. To the committee on Public Works.

By Mr. Newell of Hopkinton, House Bill No. 14. An Act relative to disposal of papers belonging to the department of public works and highways. To the committee on Public Works.

By Mr. Underhill of Nashua, Ward 1, House Bill No. 15, An Act relative to transportation of cylinders of liquefied petroleum gas. To the committee on Transportation.

By Mr. McGee of Lincoln, House Bill No. 16, An Act naming the Kancamagus Highway. To the committee on Public Works.

By Mr. Hill of Conway, House Bill No. 17, An Act relative to uniform season for taking deer and limiting the number of male deer to be taken. To the committee on Fish and Game.

By Mr. Newell of Hopkinton, House Bill No. 18, An Act relating to reports of the commissioner of public works and highways. To the committee on Public Works.

By Mr. McGee of Lincoln, House Bill No. 19, An Act providing funds for the perambulation of the Maine-New Hampshire boundary line. To the committee on Appropriations.

By Mr. Hill of Conway, House Bill No. 20, An Act relative to classification of a road in Chatham. To the committee on Public Works.

By Mr. Locke of New Boston, House Bill No. 21, An Act regulating the practice of professional engineering. To the committee on Executive Departments and Administration.

By Mr. Lang of Manchester, Ward 1, House Bill No. 22, An Act relative to the state board of fire control. To the Committee on Executive Departments and Administration.

By Mr. Karnis of New Ipswich, House Bill No. 23, An Act relative to the sale of electrical appliances for agricultural uses. To the committee on Agriculture.

By Mr. Newell of Concord, Ward 7, House Bill No. 24, An Act to restrict outdoor advertising on the interstate highway system. To the committee on Public Works.

By Mr. Newell of Concord, Ward 7, House Bill No. 25, An Act relative to expenditure of revenue from turnpikes. To the committee on Public Works.

By Mr. Newell of Concord, Ward 7, House Bill No. 26, An Act relative to auxiliary service roads and their classification. To the committee on Public Works.

By Mr. Deming of Danville, House Bill No. 27, An Act for emergency location of state and municipal government. To the committee on Judiciary.

By Mr. Hambleton of Goffstown, House Bill No. 28, An Act relative to voting on town appropriations by ballot. To the committee on Municipal and County Government.

By Mr. Dupont of Manchester, Ward 6, House Bill No. 29, An Act relative to observance of legal holidays within the state. To the committee on Judiciary.

By Mr. Karkavelas of Dover, Ward 4, House Bill No. 30, An Act relative to disposition of fees received by the board of chiropractic examiners. To the committee on Public Health.

By Mrs. Lord of Gilford and Messrs. Mathison of Center Harbor, Rollins of Alton, Watson of Belmont and Harkins of Laconia, Ward 2, House Bill No. 31, An Act providing for the election of county commissioners for the county districts of Belknap county. To the committee consisting of the members of the Belknap County Delegation.

By Mr. Hunter of Hampton, House Bill No. 32, An Act relative to local civil defense emergencies. To the committee on Judiciary.

By Miss Rita Collyer of Lisbon, House Bill No. 33, An Act establishing a run-off primary. To the committee on Judiciary.

By Mr. King of Manchester, House Bill No. 34, An Act providing for the publication of the commercial code as a part of the Revised Statutes Annotated. To the committee on Appropriations.

By Mr. Bevan of Durham, House Bill No. 35, An Act relative to damage to domestic livestock by hunters. To the committee on Fish and Game.

By Mr. Rollins of Alton, House Bill No. 36, An Act relative to the transportation of deer. To the committee on Fish and Game.

By Mr. Bevan of Durham, House Bill No. 37, An Act relative to the method of taking wild deer in the town of Durham. To the committee on Fish and Game.

By Mr. Rollins of Alton, House Bill No. 38, An Act requiring licensed agents to furnish bond. To the committee on Fish and Game.

By Mr. Merrifield of Sunapee, House Bill No. 39, An Act providing for forfeiture of fish or wild animals illegally imported into this state. To the committee on Fish and Game.

By Mr. Merrifield of Sunapee, House Bill No. 40, An Act making appropriation for emergency search and rescue operations. To the committee on Appropriations.

By Mr. Merrifield of Sunapee, House Bill No. 41, An Act relative to radio system for the fish and game department. To the committee on Fish and Game.

By Mrs. Lord of Gilford, House Joint Resolution No. 1, Joint Resolution providing an appropriation for the Civil War Centennial Commission. To the committee on Appropriations.

By Mr. Pickett of Keene, House Joint Resolution No. 2, Joint Resolution relating to office space for the bank commissioner. To the committee on Appropriations.

By Mrs. Brown of Sandwich, House Joint Resolution No. 3, Joint Resolution providing funds for state nursing scholarship program. To the committee on Appropriations.

By Mr. Karkavelas of Dover, Ward 4, House Joint Resolution No. 4, Joint Resolution relative to funds for the Eastern New Hampshire Turnpike. To the committee on Appropriations.

Senate Messages

The Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

That the Speaker of the House of Representatives and the President of the Senate be, and hereby are, authorized to take over immediately such rooms on the third floor of the State House as may be necessary for the use of said House of Representatives and Senate for committee hearing rooms.

On motion of Mr. Pickett of Keene the House adjourned from the morning session.

Afternoon Session

Mr. Pickett of Keene moved that the House adjourn today to convene at the Manchester Armory tomorrow morning at 11:00 o'clock.

On a *viva voce* vote the motion prevailed and the House was adjourned at 3:20 P. M.

THURSDAY, JANUARY 5, 1961

The House met at 11:00 o'clock in the Auditorium of the Armory of the New Hampshire National Guard, Manchester, New Hampshire.

Prayer was offered by the Chaplain, Reverend George Pennington as follows:

God and Father of us all, we gather here on this inaugural occasion as a united witness, to offer praise to Thee for the gifts of life, to invoke Thy blessing on us in our personal and public life and to exemplify our mutual concern for government in which Thy spirit shall guide the affairs of our State to the service of all thy children.

We rejoice in the event which brings us together here. We pray that the spirit of inauguration may take residence in our minds and hearts, and that there may be reinvested within us the commitment to be guided in our public deliberations and decisions by religious values of stewardship and integrity.

May our Governor, our Legislators, all public servants gathered here, and, indeed the people of New Hampshire mark this time as a milestone in a pilgrimage of God-revering folk, joined in the democratic search for prosperity and progress under the banner of freedom, love and truth. Amen.

Pledge of Allegiance to the Flag

Mr. Hart of Manchester led the House in the Pledge of Allegiance to the Flag.

Resolutions

Mrs. Ainley of Manchester offered the following resolution:

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in Joint Convention at 11:45 o'clock for the purpose of receiving His Excellency, the Governor, and to hear any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

On a *viva voce* vote the resolution was adopted.

Senate Message

The Senate message announced that the Senate has passed the following resolution:

Resolved, That the Senate be ready to meet the House of Representatives in joint convention as suggested by the House message at eleven-forty-five o'clock, for the purpose of receiving His Excellency, the Governor, and any communication that he may be pleased to make and for the transaction of any other business that may properly come before such convention.

Joint Convention

The Senate and House being in Joint Convention at 11:45 o'clock, Senator Humphreys of District No. 24 offered the following report:

The Joint Committee appointed to wait upon Honorable Wesley Powell and inform him officially of his election as Governor of the State of New Hampshire reports that it has attended to its duty; that the Governor-elect has accepted the said office and will meet the Senate and House of Representatives in Convention at the earliest convenient time to take the oath of office and make such communication as he deems proper.

The report was accepted.

Senator Sawyer of District No. 4 offered the following report:

The Joint Committee appointed to wait upon Philip A. Robertson, Andrew H. Jarvis, Roger E. Brassard, Harold Weeks, and James H. Hayes and inform them officially of their election to the Honorable Council, reports that it has attended to its duties, and that all of the gentlemen named have accepted the office.

The report was accepted.

The Governor-elect and the Councilors-elect entered the Auditorium. The Color-guard of the New Hampshire National Guard posted the colors and the National Guard band played the National Anthem.

The Invocation was offered by Rabbi Samuel Umen, Adath Yeshurun Temple of Manchester, New Hampshire.

The President of the Senate, Samuel Green, administered the oath of office to his Excellency, the Governor, Wesley Powell, and proclaimed Mr. Powell Governor, and presented him with a copy of the State Constitution.

His Excellency, the Governor, then administered the oath of office to the Honorable Council.

A Thanksgiving prayer was then offered by the Right Reverend Charles F. Hall, Episcopal Bishop of New Hampshire.

The Governor then delivered his Inaugural Address as follows:

INAUGURAL ADDRESS

Mr. President, Mr. Speaker, Mr. Chief Justice, Honorable Members of the General Court; Fellow Citizens:

By the blessing of God and the suffrage of the people, I have taken again the oath of office as Governor of the State of New Hampshire. To Him and to the people, humble gratitude is now expressed, along with my pledge to bear as best I can the joys and the burdens of this high office.

I am still persuaded that the route of government upon which solvency is a foremost guidepost is the only passage to enduring community progress. Two years ago I declared my first duty to be leadership for the protection of the solvency of our state government without undue burdens of taxation. I now reaffirm that declaration.

Wherever persons of liberty and faith are found, there is seen the search for new pinnacles of human understanding and happiness. The standards set for and in this search determine whether the pinnacles are achieved, or a pit is dug into which fall the fundamentals of goodness, and sometimes humankind itself.

When the community seeks to care more adequately for the handicapped and the helpless, it is striving to respond to a God-given duty.

When the community seeks to take care of everybody, it is rebuking God-given truths and it is digging the pit.

For those strong of mind and body there is no good substitute for self-reliance, if the goal of citizens is the preservation of human dignity. Much of the world has become a graveyard for liberty because too many human beings have been willing to surrender the strength born of struggle for the weakness which is the evil offspring of the promise of security.

There is a proper part for representative government to play as the individual and community work for economic progress. However, each individual who would be free as well as secure must take note that the survival of representative government is threatened because much of the world has become overly dedicated to the material lot of man and, therefore, increasingly callous towards the soul of man and the spiritual strength of peoples everywhere.

As a nation, we seem to have cultivated in the world a greater envy for our dollars than we have cultivated love for our liberty. We have so focused the eyes of others upon our material gains that they have not seen the beauty of the spirit which has kept us free. Yet, what else could be expected of our own neglect of the spirit of our land in these times?

In our state and in our nation some persons of trade discard the good standards from which our free enterprise system grew; some leaders of learning debunk the basic principles of

human life which caused us to become known as a nation of human dignity with faith in God.

Such discarding and debunking work together to undermine the freedom which encourages the individual to achieve on his own, and thereby preserve a neighborhood and a nation of true economic and spiritual strength.

Most who settled on our coast believed that if they were free and firm of faith they could build a better life and cut a pattern of government over which they would be the master. Now it is suggested by many that there can be room for faith and freedom only after government cuts the pattern of life.

A prophet once addressed his Lord: "I have heard of Thee by the hearing of the ear: but now mine eye seeth Thee."

In humbly taking the oath of office as Chief Executive the first time, one has heard of the governorship. On the even more humbling occasion of a second inaugural, one believes he sees what the governorship is.

To me, the temporary occupant of this place of authority and duty must strive to lead the people of this part of the land. When others seem to forget, he must try to remember that our most precious attribute is faith, and our most priceless possession is liberty. He must be willing to be mindful that it is the function of government to help the individual and the community to gain material and intellectual advancement but to remember also that such progress can be an enduring blessing only upon those who are loyal to the truth that the Republic, and its states, will retain representative government only so long as it is solvent; that such can be an enduring blessing only upon those who are strong of spirit, only upon those who would Live Free or Die.

My duties I will try to meet, these truths will I try to remember.

The Benediction was then offered by the Most Reverend Ernest J. Primeau, Roman Catholic Bishop of Manchester.

On motion of Senator Battles of District No. 23, the Joint Convention rose.

House Resolutions

Mr. Kearns of Manchester offered the following resolution:

Resolved, That the House of Representatives has listened with gratification to the message of Governor Wesley Powell and hereby expressed to him the high esteem in which we hold him.

The resolution was unanimously adopted.

Mr. Geisel of Manchester offered the following resolution:

Resolved, That the Clerk be instructed to have the address of Governor Wesley Powell printed in the Journal and that 600 additional copies be printed in pamphlet form.

The resolution was unanimously adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, and that when the House adjourns today it be to meet in Representatives Hall at 11:00 o'clock on Tuesday next.

On motion of Mr. Pillsbury of Manchester the House adjourned at 12:25 o'clock.

TUESDAY, JANUARY 10, 1961

The House met at 11:00 o'clock.

JOINT CONVENTION

Prayer was offered by the Chaplain as follows:

Creator and Eternal God, as we meet in this hall of great democratic tradition, this place on which the hopes of so many citizens of our State are focused, we would bring to this first full legislative week of work our resolve to be adequate to the opportunities that lie within our grasp. Let a spirit of a new

beginning be ours. Let bills and budget be appraised for what they truly are, the tangible representation of a people's effort to promote their commonweal.

May it be, O God, that we may take a meaningful role in Thy continuous creation, and may it be that our work together shall result not only in fiscal wisdom, but in a strengthening of the deepest human values.

Amen.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mrs. Weeks of Greenland led the Convention in the Pledge of Allegiance to the Flag.

INTRODUCTION OF A GUEST

The Chair introduced Samuel W. Powell, the Governor's son, as a guest of the Joint Convention.

BUDGET MESSAGE

The House and Senate being in Joint Convention, His Excellency, the Governor, Wesley Powell delivered his budget message to the General Court as follows:

Mr. Speaker, Mr. President, Honorable Members of the General Courts:

I am informed that this is the earliest date in memory that a Governor has delivered the Budget Message and Budget Books for the consideration of the Legislature.

For this achievement, I am in the debt of many fine people. To the department and institution heads as well as their staffs, to the Departments of Administration and Control and Personnel, to the members of the Budget Committee, and to the very nice young ladies of the various departments who assisted in typing the budget sheets for the printer, I express my deep appreciation.

Decisions with respect to my budget recommendations have not come easy. Most of you are aware from your own experience that it is difficult to weigh the respective merits of budget requests.

One thing is certain. The overall requests presented by the departments had to be reduced — sharply reduced. The total requested from the General Fund over the spending level of the present biennium is about \$17,500,000. It is my recommendation that this be reduced to about \$3,365,000. With respect to the treatment of the surplus thereafter projected, I have recommendations for your consideration.

I present here for your study a Summary prepared at my request by the Division of Budget and Control:

Summary — General Fund Unappropriated Surplus
Governor's Recommendations — Net Appropriation Basis
1960-1961 Biennium

Funds Available:

1. Unappropriated Surplus 6/30/58		\$1,759,736
2. Harness Racing Transfer	\$1,112,966	
3. Franchise Tax Bonds	1,358,000	
4. Estimated 1960-61 Unrestricted Revenue	50,311,511	
	<hr/>	50,782,477
5. Total Estimated Funds Available		\$54,542,213

Expenditures:

6. 1960-61 Net Appropriation	\$47,010,990	
7. Estimated 1960-61 Debt Service	3,234,593	
8. 1960-61 Legislative Specials	779,324	
	<hr/>	
9. Total Estimated Appropriation	\$51,024,907	
10. LESS: Estimated 1960-61 Lapses	1,600,000	
	<hr/>	
11. Total Estimated Net Expenditures		\$49,424,907
		<hr/>
12. ESTIMATED UNAPPROPRIATED SURPLUS 6/30/61		\$5,117,306
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Fiscal 1962

13. Estimated Unappropriated Surplus 6/30/61	\$5,117,306
14. Estimated Unrestricted Revenue	26,219,575
15. Inventory Bond Retirement	214,000
16. Total Available	\$31,550,881
17. Recommended Net Appropriation	\$24,549,326
18. Net Det Requirement	2,000,555
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19. Total Expenditure Requirements	\$26,549,881
20. LESS: Estimated Lapses	600,000
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21. Recommended Net Expenditures	25,949,881
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22. ESTIMATED UNAPPROPRIATED SURPLUS 6/30/62	\$5,601,000
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Fiscal 1963

23. Estimated Unappropriated Surplus 6/30/62	\$5,601,000
24. Estimated Unrestricted Revenue	26,831,685
25. Inventory Bond Retirement	214,000
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26. Total Available	\$32,646,685
27. Recommended Net Appropriation	\$25,825,934
28. Net Debt Requirement	1,975,737
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29. Total Expenditure Requirement	\$27,801,671
30. LESS: Estimated Lapses	600,000
<hr/>	
31. Recommended Net Expenditures	\$27,201,671
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32. ESTIMATED UNAPPROPRIATED SURPLUS 6/30/63	\$5,445,014
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Summary Explanations

Lines 2 & 3: The Harness Racing Transfer of \$1,112,966, plus the \$1,358,000 of Franchise Tax Bonds, added to the June 30, 1959 Unappropriated Surplus total \$4,230,702 of surplus funds available for expenditure at the beginning of the 1960-1961 biennium.

Line 6: The \$23,074,093 fiscal 1960 net appropriation plus the \$23,936,897 net appropriation for fiscal 1961 comprise the \$47,010,990 total for the 1960-1961 biennium.

Line 7: Actual fiscal 1960 Debt Service was \$1,567,344, 1961 payments are estimated at \$1,667,249, total \$3,234,593.

Line 8: This amount represents the total of all legislative "money bills" authorized for expenditure in the 1960-1961 biennium.

Line 10: Actual fiscal 1960 lapses were \$910,018. The estimated \$1,600,000 for the biennium allows \$689,982 of lapses in fiscal 1961. Fiscal 1959 lapses were \$563,959.

Line 12: The June 30, 1961 Unappropriated Surplus compares to a total of \$4,230,702 of funds available for expenditure at the beginning of fiscal 1960 as earlier outlined under Lines 2 & 3, or an increase of \$886,604.

Line 14: The \$26,219,575 estimated 1962 General Fund Unrestricted Revenue compares to \$24,700,673 actually received in fiscal 1960 and a \$25,610,838 estimate for 1961, or an increase of \$608,737 over the 1961 estimate.

Line 15: Retirement of liquor inventory bonds as provided by law.

Line 17: The \$24,549,326 net appropriation recommended by the Governor compares to \$30,708,570 requested by the departments and agencies, or a reduction of \$6,159,244 by the Governor.

Line 18: The \$2,000,555 Debt Service estimate compares to a fiscal 1960 actual of \$1,567,344 and a \$1,667,249 estimate for 1961.

Line 20: The \$600,000 estimate of lapses in 1962 is \$310,000 less than the fiscal 1960 actual, and \$36,000 more than the 1959 lapse.

Line 22: The \$5,601,000 June 30, 1962 Unappropriated Surplus represents an increase of \$483,694 over the \$5,117,306 of funds available at the beginning of fiscal 1962.

Line 24: The estimated \$26,831,685 of Unrestricted General Fund Revenue shows an increase of \$612,110 over the estimate for fiscal 1962. This compares to an increase in 1962 of \$608,737 over the estimated fiscal 1961 General Fund receipts from this source.

Line 27: The \$25,825,934 net appropriation for fiscal 1963 as recommended by the Governor compares to a department request of \$33,711,815, or a reduction of \$7,945,881 by the Governor.

Line 28: The Net Debt requirement of \$1,975,737 for fiscal 1963 compares to the \$2,000,555 estimate for 1962, and a 1960 actual of \$1,567,344.

Line 32: The June 30, 1963 Unappropriated Surplus estimate of \$5,445,014 compares to \$5,117,306 estimated as available on June 30, 1961 at the beginning of the 1962-1963 biennium.

**Comparison Agency Requests
and Governor's Recommendations
Unrestricted General Fund Revenue**

Fiscal Year	Dept. Estimate	Gov. Recommended	Increase
1961	\$23,174,132	\$25,610,838	\$2,436,706
1962	25,265,595	26,219,575	953,980
1963	25,856,502	26,831,685	975,183
Totals	<u>\$74,296,229</u>	<u>\$78,662,098</u>	<u>\$4,365,869</u>

Net General Fund Appropriation

Fiscal Year	Dept. Estimate	Gov. Recommended	Increase
1962	\$30,708,570	\$24,549,326	\$6,159,244
1963	33,771,815	25,825,934	7,945,881
Totals	<u>\$64,480,385</u>	<u>\$50,375,260</u>	<u>\$14,105,125</u>

June 30, 1963

General Fund Unappropriated Surplus Comparison

As Requested by Departments	\$11,705,938	Deficit
As Recommended by Governor	\$ 5,435,139	Surplus

You will note that the projected surplus anticipates lapses to the General Fund of \$600,000 for each year of the coming biennium. Frankly, I have strong reservations with respect to this figure. During my administration two policies have been firmly implemented. First, the Comptroller and his staff have been encouraged to execute their every authority with respect to expenditure control. Secondly, as Governor, and with the co-operation of the Executive Council, I have applied a strict standard to transfers of funds from one code to another. These policies have allowed for full consideration of matters affecting the health and welfare of the people and have provided leeway where such was in the best interest of the State. However, it

is to be expected that in view of the reductions recommended, and which I hope will be sustained by the Legislature, department heads will more closely spend appropriated funds within the codes designated. The result could be a sharp reduction of lapses to the General Fund. Therefore, it would be well for you to bear in mind that a substantial portion of the projected surplus is strictly speculative.

It is my belief that the recommendations I submit to you are sound. Naturally they do not allow for expansion in every area of government activity but overall they represent forward movement on the part of our state government in behalf of the general welfare.

Remember 1959

Throughout my service as Governor I have encouraged every department head to freely express his thoughts to you and to me. I do so now. However, I do ask that as each presents his case you recall with me some of the dire predictions which were made during your 1959 Session. You remember that some said the hold-the-line budget approach which the Executive recommended and a majority of you endorsed, would bring ugly consequences to state services and to New Hampshire's economy.

Two interesting facts stand out now in contradiction of those predictions. First, had it not been for the hold-the-line policy the State would not now enjoy its greatly improved fiscal position and dollars would not be available for expansion of programming and for state employee pay increases. Secondly, the overall economy of New Hampshire is also in greatly improved condition and more state dollars are now available for the promotion of its further growth.

Perhaps the recommended budget does not allow for all the expansion of services some of us consider desirable, but as was the case two years ago what is recommended we know we can pay for and what is recommended will be beneficial tomorrow as well as today.

New Positions

It continues to be my belief that the increase of state jobs does not automatically carry with it an increase of service. Since government began many in it have been persuaded that its strength is dependent upon its size only. Then there are others

rightly unhappy with the co-workers they have but who prefer to build around or over them rather than endure the discomfit which is a part of the administrative procedure of getting rid of the misplaced or the incompetent. For those department heads who believe in building around or over the misfits I have a suggestion to which I hope the Legislature will subscribe. They have a duty to their own efficient service and to the people by whom they are employed to assist in casting off the loafers and the drifters. If representative government falls it will not be simply because its elected leaders have failed. A strong contributing factor will be the negligence of those in appointive or classified office.

This year you and I are faced with departmental requests to add some 462 new positions to the state payroll. Each of these requests has been considered with care. I have recommended that 114 of them be granted and I believe each new position recommended can be fully justified. At the same time, I have recommended that 82 present positions be abolished. If my recommendations are accepted that would mean a net gain of 32 positions.

Some positions marked OUT are in line with the so-called Evans Report. There is evidence that with respect to some of these jobs the Evans Report is still valid but all the designations are included to meet a request stated in 1959 for this information. It is my suggestion that you review all of these positions in the light of present requirements. Other positions I recommend be abolished appear to be needed no longer.

With regard to recommendations that positions be abolished, I have had the counsel of the Departments of Administration and Control and Personnel and in some cases the counsel of department heads. I shall be happy to talk with the fiscal committees on this matter, or any other recommendation I present.

It is to be hoped that in the biennium ahead, or even prior to that time, department heads who ask the executive and legislative branches to respond favorably every two years to requests for new positions will play square with us in two ways: first, acquaint us with the positions within their departments no longer necessary; and second, initiate the procedures the legislature has created for the dismissal of employees not carrying their proper share of the load. Such square shooting would encourage greater confidence on the part of the legislative and executive

branches and would build a higher degree of confidence in the people whose government this is.

University of New Hampshire

This message will not review the budget requests of every department but there are a few to which your particular attention is directed. The University of New Hampshire is one.

By compromise action initiated in the 1959 Senate Finance Committee and agreed to by the Governor, the University of New Hampshire was granted a 29% increase in your last Session. In short, it was agreed to apply the millage formula to determine the University's appropriation and to include within it the sums requested for the Extension Service.

This year the University is requesting a 27% increase over the 1959 appropriation figure. It is my recommendation that this be reduced to about 18%. Translated into dollars this would mean a total appropriation to the University of \$7,609,014 as compared with the \$8,259,946 they have requested.

Please take note that exclusive of \$92,400 each fiscal year for the Extension Service and exclusive of the additional sums required for debt service, my recommendation would reserve a total of \$844,000 for such areas as faculty salary increases and expanded program at this fine institution.

It is proper that I remind you at this time that University faculty and employees were the only persons connected with the state payroll given pay raises in 1959. It will be my pleasure to consult with you further on the University budget as you may require.

Agriculture

My recommendations call for a total increase of \$31,558. This is \$43,758 less than the amount requested but does provide for certain expanded services, especially in the areas of disease treatment and research. I have included reference to this Department chiefly to point out that the sums recommended for laboratory projects at the University of New Hampshire are in line with program costs originally outlined for me and approved in part during this biennium by administrative action. Careful examination will indicate, in my opinion, that the Department

has been treated fairly but like all other departments, must be required to forego some expenditures.

Forestry

A net reduction from present levels is recommended for the Forestry Division in the amount of \$47,421. Like all other budgets, this one was examined with care. The net reduction will not injure adequate service.

It is interesting to note that the requests include authority for some internal reorganization through reclassification of positions. It is my recommendation that this be rejected. In the first place, the Agency is one included in reorganization recommendations to be made, and I would observe further that in situations covered by the budget requests, it would be more appropriate for the Division head to resort to administrative procedures if he feels there is a call for them.

Health

It is recommended that an increase in the amount of \$75,484 be granted to the Health Department.

Executive recommendations regarding the budget of this Department would allow for increases amounting to about \$150,000 in new positions, physicians' fees, polio supplies, hospital, physician and dental care, heart surgery and out-patient treatment of alcoholics.

Dollars for the increased expenditures cited would come not only from the recommended net increase over the present spending level of the Department but also from the elimination of present positions. For example, the Health Officer has informed the Executive that the creation of a Director of Special Health Services and four new professional positions for out-patient care of alcoholics would mean the closing of the alcoholic ward at the Department as of June 30 this year. I have so recommended. Incidentally, the Health Officer has been given authority to hire the new director on a contractual basis at the rate of \$13,000 per annum and it is recommended that you establish that rate for this new position. The new positions and program recommended will not only mean a dollar savings to be applied to other essential services, but it is the consensus that the new program will be more effective.

It should be noted also that this Department will be involved in reorganization recommendations to be submitted.

Public Welfare

The spending level of the Department of Public Welfare for this biennium is \$5,480,165. The total request for the next biennium submitted by the Department is \$5,151,151. Please note that the Department itself requested some \$329,000 less than it is presently spending. It is my recommendation that this be further reduced by the sum of \$236,000 for a total reduction of \$565,000.

I would first emphasize for your attention the fact that all four grant programs of the Department are recommended to you exactly as the Department has requested them. Incidentally, these requests for the grant programs include built in cost of living increases for the next two years which have not been disturbed. In other words, the total sum recommended for your appropriation to this Department does not reduce at all the requested programs of aid to our needy and unfortunate neighbors.

The bulk of the additional reduction which I have recommended involves payroll and related costs in the various field offices of the Department.

Before I go further, I want to say that I hold the Commissioner of Public Welfare in high regard. I believe you will find him well aware of the truth that I consider him to be one of the most able and devoted persons we have in our state government. I mention this truth here that you may know my recommendations are not to be considered a reflection upon him in any way.

The fact of the matter is caseloads are down as a part of the trend of recent years. Careful consideration has been given to this fact as well as to the recommendations of some that the field office operations of the Department be suspended altogether. It is my belief such action would be too drastic but I have reached the conclusion — which I hope you will sustain — that the time has come for a reduction of personnel at the field office level. I am prepared to discuss this further with the fiscal committees upon request.

Recreation Division

The Recreation Division's present level of demand upon the General Fund is \$358,224.71. The request of the Division for the next biennium is \$788,000. It is my recommendation that this be eliminated.

In the first place, discovery of a mistake in computation of revenues was related during the Budget Committee hearings and this resulted in a substantial adjustment of requirements downward. In addition, other recommendations for reductions have been made to you on a line-item basis and it is our position these will not injure the program. I would call to your attention that the increased request for promotion and advertising has been recommended for your favorable consideration along with a footnote that the sum be programmed in cooperation with the Planning and Development Commission and with approval of Governor and Council. You agreed to this procedure at the last session and evidence is available that it was worthwhile and will remain so for both agencies until such time as there is reorganization.

There is another vitally important point. We have need in New Hampshire for an expeditious expansion of our state park facilities. The only way this can be accomplished is through a bond issue. This procedure will be recommended to you by special communication. I mention it now by way of pointing out the fact that if such a bond issue is authorized some demand upon the General Fund will be necessary in the early years of amortization. Therefore, it is necessary that other Division demands upon the General Fund be most carefully weighed at this time.

In closing the comment upon this Division's request, I would point out that the recommended budget provides for the new and seasonal positions essential to the operation of new facilities previously authorized.

Education

The present level of demand upon the General Fund by the Department of Education is \$6,864,184. The Department has requested for the coming biennium \$17,891,333. It is my recommendation that this be reduced to \$8,132,728. Please note that this still spells out an increase for the Department of \$1,268,000 plus. In addition, I shall submit shortly a recom-

mentation for the expenditure of an additional million dollars out of surplus as an aid to community school costs.

The recommended increases cover, for the most part, increases in foundation aid, increases in school construction aid, new faculty positions at the Teachers' Colleges and Technical Schools, other new positions at these institutions and costs related to the positions as well as increases for equipment. The subject of salary increases for the Department and its institutions will be included in the overall recommendation regarding state employee pay raises to be submitted shortly.

My recommendations eliminate the requests for school bus transportation aid and so-called incentive aid for school district reorganization. With regard to the former, it is my opinion that other areas of education costs have priority position, and with regard to the latter request, it is my position that at least until the Board of Education or other source established by the Legislature submits firm and informed reorganization recommendations for consideration, such expenditure should not be made.

At this point I am going to indulge in a little out-loud thinking regarding our educational program and education generally.

A teacher commented to me recently that there is, in her opinion, an increasing need for parent education. I am inclined to agree with her.

We have poured upon the classroom and the teaching profession too many of the duties of parenthood. However, the pouring has been largely at the invitation of the educators. There is no doubt that in the first instance many within the profession believed that if teachers were to absorb non-educational functions of the home and the community it would make the citizenry more school conscious and more demanding in behalf of education and the profession. It is an understatement to say that it worked. It has worked to the point where unless some firm action is taken, the teachers are forever stuck with activities they do not care for and do not rightly have time for if the children are to have the instruction necessary to their progress.

Furthermore, the cost in time and money of the extra-curricula chores and activities has contributed greatly to the

rapid increase in costs of education. It should be noted also that the cost in these areas could have been and should have been applied in part to salaries and related costs.

There is not a budget hearing or a school district meeting at which we are not reminded that the Superintendent, his expanded staff, the Principal and his staff, and the teachers are overloaded, not so much because of the demands of instruction, but because of programs unrelated to instruction. I must observe also that every time an aid program comes along, it is inescapably followed shortly by a demand for new staff assistance because of the increase in paper work.

On the other hand, we should take note of the progress which has been made here in New Hampshire and elsewhere. Perhaps it is good that we take note of it here because it is seldom noted elsewhere. Education is an area in which we can count our blessings of progress as well as our problems.

Constantly we hear the complaint that the property owner has reached his limit in contributions to the cost of education, as if the property owner were some isolated individual and as if he who owns property has some special other pocket into which he can dip for tax money if he had some special other tax.

Then there is the persistent suggestion that a state government can do far in excess of what its individual communities cannot do. The most intriguing part of the suggestion is that the state government cannot only do more but can put money back into the pockets of the property owners at the same time.

My personal opinion is that there is no easy and no magic way by which all the problems educator and citizen present can be solved.

Whether it be with regard to education or any other area of spending at any echelon of government, there is a lesson we cannot put aside wisely: spending beyond our means is not sound and never brings lasting progress. Some governors are elected to remember the lesson and some to forget it. I intend to remember it.

We hear about the teacher shortage from the educators, the doctor shortage from the medical profession, the engineer

shortage from industry, the shortage of mechanics, butchers, bakers, nurses - - - there is a shortage everywhere, from what they all say. All you have to do is sit in on budget hearings and you gain this startling information. Let us assume this is true. Where does the fault lie? Simply insufficient dollars? Isn't it true that at some level the educational program provides the training for all of these and more? Is there some deficiency in the system? Are the standards set by what is proper for good service, or are they sometimes set too rigidly against the outs by the ins?

Ladies and gentlemen of the General Court, it is my opinion that we have made quite good progress in New Hampshire on the dollar end of education. There is plenty of room for greater forward steps as available money allows. Meanwhile, let us not kid ourselves or be kidded by others. There is also room for self-appraisal by those in education. There is room for a down-to-business study. There is room for reorganization within the educational program of our communities, our state and our country, and it need not be as is usually proposed that the reorganization must be only to determine more efficient ways to spend more money.

There are terrible conflicts of opinion on this overall subject. I am speaking not only of the conflicts of opinion among laymen but more particularly of the sharp conflict of opinion among noted and award-winning educators. I conclude by suggesting that just as the educator has the right to address to us the complaint that we are not producing enough dollars so do we have the right to complain that his profession is not producing properly either. At the annual school district meeting and at the biennial session of the legislature we take account of stock and do the best we can with what we have. We have reached a point where the educators could well take account of stock too. I hope they will do it before we meet again and thus help us find a common ground upon which we can move forward together.

Industrial School

The larger share of the recommended increase for the Industrial School is for new positions to staff the new detention building authorized during the 1959 Session.

I have included the Industrial School in the group of departments to which specific reference is directed primarily to

pay tribute to its late Superintendent. Edmund East's death took from us one of our most able administrators and a devoted public servant. You will be pleased to know that Mr. East gained comfort during the closing months of his life from his knowledge that he had earned the deep respect of the entire state family.

Laconia State School

The spending level of Laconia State School is now \$2,880,805. I am recommending that this be increased to \$3,049,109. This figure is \$168,303 above present levels but some \$231,000 below total new requests for the next biennium. I take note here that the School will be included in reorganization recommendations related to the health program of state government. If reorganization is achieved additional services could be available to the School as they would be to other divisions of the new department.

Among the new positions recommended for the School are a Medical Laboratory Technician, an Occupational Therapist, a new maintenance worker, and eight new positions related to the staffing of the new hospital wing recommended for the Murphy Building. Certain other detailed increases are recommended in connection with the operating costs of the institution and I shall have more to say with regard to the School in the discussion of the Capital Budget.

I do want to comment here that outstanding progress is being made at this institution. Many steps have been authorized administratively which have brought about good improvements to plant as well as to organization. In some instances, funds have been found for improvements within administrative authority.

State Hospital

A net increase of legislative appropriation for the State Hospital in the amount of \$22,779 is recommended. In this connection, I should point out with regard to the State Hospital that certain additional expenditures have been authorized during the biennium by administrative action. These expenditures involve both personnel and plant improvement. Here it is a pleasure to speak of progress made with regard to plant and organization.

The State Hospital's recommended budget must also be considered with regard to reorganization recommendations to come, and here again with particular reference to services which would be available to the institution and those it cares for if reorganization is achieved. Meanwhile, the recommended budget provides for the following new positions: a Resident-Physician (Psychiatrist), a Senior Psychiatrist, a teacher for the child patients, and an additional chaplain. Other new nonprofessional positions are recommended. Special attention was given to other requests for new positions but action was withheld pending disposition of reorganization plans.

Of particular interest, however, is the recommended approval of the cooperative training program between Dartmouth and the State Hospital, and the recommendation that the appropriation for the research program at the State Hospital be increased to \$20,000 each year, or an increase of \$30,000 for the biennium.

There are recommendations for internal reorganization at the State Hospital which I know will have your careful consideration. These are for the purpose of improving the business administration of the institution and further releasing professional personnel from administrative detail.

In connection with the overall recommended appropriation careful note should be made of two factors: the inpatient population trend is still downward, a tribute to the care and treatment program, and substantial equipment, repair and improvement items are contained in the recommended Capital Budget.

Planning and Development Commission

The Planning and Development Commission's present level of expenditure by legislative appropriation is \$752,000. The Commission has requested for the new biennium \$1,320,553. It is recommended that this amount be reduced to \$1,139,812 which allows for an increase over the present biennium of \$387,672. The bulk of the increase is recommended for expanded planning, promotion and advertising functions. A substantial sum for these areas is footnoted so as to require Governor and Council approval in line with the policy approved by the 1959 Session and which has helped to assure productive spending.

This, too, is an Agency which will be involved in reorganization recommendations. Meanwhile, increases are recommended because the functions now supervised by this Agency are essential to the expansion of our State's economy and helpful in the expansion of state revenues.

Water Pollution

An increase in spending level for the Water Pollution Commission is recommended in the sum of \$340,712. This amount would be sufficient to meet present statutory requirements for state aid to local communities. It is some \$372,000 less than requested by the Agency but its request is based upon proposed new federal aid, the fate of which is uncertain. Should the new federal aid program be adopted, the Legislature could then determine its policy with respect to it.

Firemen's Retirement System

It is recommended that the State increase its biennial contribution from \$100,000 to \$136,000 as a start towards meeting its commitment at the time the original program was undertaken. The request is for \$200,000. It is just impossible to recommend the full amount in view of other demands but it is felt a beginning towards meeting the statutory obligation should be made.

Furthermore, it is the hope of the Executive branch that another result of acceptance of overall budget recommendations can be a review and forward action in this session of the Legislature on other state pension systems, including Teachers' Retirement, Police and State Employees.

Highway Department

The Highway Department's budget is bound to be the subject of special consideration by the General Court and I would assure you of my availability to thoroughly review my recommendations with your fiscal committees.

I have recommended sharp reductions in the amounts requested by the Department but I believe each of my recommendations can be soundly justified.

You will note that I have marked OUT beside almost all requests for new positions. Recommended for your acceptance

are the new patrol crews necessary to maintain our new miles of highway, and recommended also is the continuation of the Personnel Officer established by action of Governor and Council to improve departmental administration and release the department head from time consuming detail.

I have a demonstrated interest in the improvement of our highway system and I consider the continuation of the program to be of the most vital importance to the expansion of the economy of our State. However, I set an emphatic distinction between highway improvement, and increase of personnel and overhead whether by the Department on its own or by the prodding of the federal government. The Commissioner is informed of my strong position in this matter and particularly of my resentment of federal insistence that New Hampshire with its good record pay a penalty because a small minority in the country have abused the interstate program. I am proud of what our Department has accomplished and feel that it should be complimented rather than imposed upon by federal bureaus.

Furthermore, the Department has demonstrated that despite difficulties it can accomplish much and in an efficient manner with its present force. I believe it should be encouraged to continue to do so. Argument can be made that operating with temporary help and consultant services presents difficulties but it seems to me that the argument against building up a permanent force in peak times which would be difficult, if not impossible, to shed later on, is more sound.

During the present biennium improvements in departmental administration have been accomplished and I believe this will continue. My personal overall confidence in the Commissioner was best expressed by my reappointment of him.

There are other considerations to substantiate my recommendations. The increase in the gasoline tax during the 1959 Session plus other revenue increases and administration improvements have put the department in a sound fiscal position. It is necessary to the continuation of our construction program and the accompanying necessary bond issues and bond amortization that this position be preserved. Every non-construction dollar spent is a potential injury to the construction program.

I will be addressing the General Court further with regard to the highway program but I do hope that the recommended budget will be both supported and sustained by you.

Capital Budget

Included in your Budget Book as presented for your consideration is the recommended Capital Budget. The requests in this category were not easy to resolve either.

Two years ago, in line with an overall hold-the-line budget policy, I recommended and you approved a Capital Budget based strictly upon considerations of safety and health of the inhabitants and employees of our institutions or the safety and health of the citizenry. It was a greatly reduced budget, yet another benefit of the hold-the-line policy is that this year the Executive is in a position to soundly recommend increases to you. However, to recommend all of the projects requested would place too severe a strain upon the General Fund. The following priorities were established to assist me in formulating my recommendations to you of a Capital Budget which the General Fund can wisely finance:

1. Projects *necessary* to safety and health.
2. Projects *necessary* to provide continued efficient operation of plants without further deferring maintenance.
3. Projects *desirable* within available funds to improve programs of benefit to institution inhabitants and employees.

All requests for projects to be financed by other than the General Fund have been referred to you for your consideration. However, where the requests have appeared to be exorbitant even luxurious I have recommended the amounts requested be reduced, sharply reduced, in some instances.

The following is a summary of the requests presented to me:

Projects for general fund amortization	\$4,728,650.50
Projects for board and room amortization	1,310,000.00
From amortization from Recreation Fund	323,000.00
From Airways Toll Revenue	10,001.00
From Highway Fund	2,235,000.00
	<hr/>
	\$8,606,651.50

It is recommended that the foregoing requests be reduced as follows:

For General Fund Amortization	\$2,430,437.00
From Recreation Fund	326,800.00
From Education Board and Room	1,371,044.00
From Aeronautics	10,270.00
From Highway Fund	1,540,500.00
From Prison Industries	36,123.00
	<hr/>
	\$5,715,174.00

Last spring the Public Works Division carefully surveyed the maintenance requirements of all state buildings. Substantial requirements were determined and in each case where the cost of maintenance requirements of a single building is estimated in excess of \$10,000 these sums have been drawn from the repair codes in the General Fund budget and included in the Capital Budget. Two things should be carefully noted in this connection: first, all repairs could not be so included in the current recommended Capital Budget; and, secondly, substantial repair items are to be found in most departmental Operating Budgets.

Capital Budget by Departments

Administration and Control:

New lighting for the State House Annex is recommended. The State House has been relighted in its entirety but work of this kind in the Annex has been hit or miss. A Records Center and Archives Building is recommended for efficient storage of state records required to be retained, and to release valuable office space now occupied by storage. The item of "office renovation" is for the renovation of existing office space if the new highway building is constructed.

Education:

The first four multiple projects cover specific needed items at each of the four educational institutions. These projects were noted as of first priority by the Commissioner and State Board.

At Plymouth the new library was granted as a needed facility both to provide student needs and also to meet accreditative requirements. I have recommended a reduction in the

appropriation based on the fact that only library space be provided. Requested faculty offices, etc., have been deleted on the premise that they can be provided in future classroom buildings, etc.

The maintenance shop at Plymouth is necessary to remove a hazardous condition of paint storage, oils, etc., in a Women's Dormitory.

You will note the deletion of several building projects at Keene. I feel that preliminary to any further expansion at Keene it is necessary to provide sites for expansion. I am therefore recommending the land purchase on Appian Way.

The sprinkling of dormitories at Keene and Plymouth is a continuation of New Hampshire's program of institutional fire protection.

Laconia State School:

There is a major need for an isolation area for patients with contagious afflictions. Therefore, my recommendation for the construction of a hospital addition to Murphy Building.

McLane Building at the School should have been replaced years ago. It is practically gone from a maintenance point of view and it would be a waste to invest any further substantial sum on it. The new dormitory is recommended as a replacement for McLane, which would be torn down. This is a much needed beginning in the replacement of structures which are little more than fire-traps. Younger boy patients would be housed in the new building.

Other capital items provide for the installation in all buildings housing patients at Laconia State School hot water safety devices to bring an end to incidents involving injury to patients because of deficient controls.

Health Department:

The item providing for steam lines and electric power supply from the State Hospital plant to the Memorial Unit would be self-amortizing within six to eight years according to careful inquiry made by the Business Supervisor of the Department of Administration and Control.

Glenclyff Sanatorium:

The Sanatorium has requested a new X-ray machine for years. It is necessary to continued good treatment regardless of the location of the institution. Incidentally, the machine would be utilized to do much of the X-ray work now performed at Mary Hitchcock Hospital at Hanover where many patients are taken for surgery at appropriate times.

The boiler conversion requested it not now recommended but funds have been provided for stoker repairs.

A brief comment with regard to the Sanatorium plant is in order here. The Legislature should take warning that if the Sanatorium is to remain in its present location then not later than the next biennium very substantial sums will have to be appropriated for maintenance items. It will be impossible to avoid this step in another two years except at considerable risk.

Soldiers' Home:

The same comment is appropriate with regard to the Soldiers' Home. It is recommended that funds be provided for the painting of the buildings as an investment required and one which cannot longer be avoided. However, the improvement of the driveways is not recommended pending decision on future location of the Home.

Within a relatively short time very substantial improvements to the Home will be required if the State is to continue the institution at its present location, and if a place of fit dignity is to be maintained as a home for these veterans of our wars. The improvements which will be inescapable shortly are to the interior of the Home as well as the replacement of such portions as the roof and the boiler plant.

State Hospital:

Even without additional demand for power, a new generator at the State Hospital is absolutely essential. In addition, the new generator would service the Memorial Unit and the new Records Center as well as any other new state building which may be constructed upon or in the vicinity of the Hospital grounds.

Also recommended for the State Hospital is the completion of the staircase at Howard Auditorium for safety reasons, and

the completion of the library as a part of the patient treatment program.

Industrial School:

The sprinkler system for Wilkins Building is absolutely essential to the safety of girl inmates confined to their rooms.

State Police:

The present housing for vehicle radio repair at the State Police radio station has long been overtaxed. The addition is recommended as urgently needed.

State Prison:

The recommended new windows are for the continuation of a much needed replacement program begun in 1957. The windows being replaced are completely worn.

The recommended replacement of the freight elevator in Prison Industries is urgently needed, the present elevator being beyond safe use.

The food freezer is strongly recommended as a sound investment in more efficient use of Prison farm products and in preservation of food generally. There is now no freezer at the Prison.

Self-Amortizing or Non-General Fund Capital Items

With regard to capital items involving the colleges, Recreation Division and others, I recommend careful legislative review to supplement that which we have with respect to the projects and the ability of the respective funds to amortize them. Although the Cannon Mountain sprinkler system would not be self-amortizing, it is recommended that the warnings of the State Fire Marshall and the Business Supervisor be accepted and that the project be undertaken as a sound investment.

Highway Departments

I have no hesitancy in recommending the construction of a new building which would house the Department of Public Works and Highways as well as the new Department of Public Safety to be recommended. To a large degree, the cost of this

building would be amortized by the saving of rentals now paid for Highway space around Concord. Furthermore, the project would release State House and Annex space to other departments and avoid the need for further rentals.

However, please take special note that the amount requested has been sharply reduced. Careful consideration dictated my recommendation of this reduction and the Executive is not interested in the project at a higher figure. The need here is for a practical building so constructed as to meet present requirements and provide for expansion if later need should arise.

I come now to the end of my budget message. You have been most patient and kind. It did seem to me that this vital subject deserved more than passing attention or cursory presentation.

It would be very helpful to you and to me, I believe, if your action upon the budget could be completed early in the Session. Obviously, your final action in this matter will control what other expenditure projects can be authorized and to what degree. I have in mind such major items as salary increases, medical insurance, and additional appropriations related to education.

It is not at all necessary that final action upon the budget be delayed pending your disposition of reorganization recommendations. If reorganization bills are adopted, then any dollar changes for departments could be provided for in the respective bills.

I will end as I began by saying that the formulation of the budget recommendations has been a difficult task. Following the interesting Budget Committee hearings, days and nights were devoted to considering the requests. I reiterate my thanks to the Comptroller and his staff, the Personnel Director and to my own staff.

Nothing is more important than the solvency of our state government. Many jurisdictions find themselves indulging in tragic regret that they allowed themselves to be plunged into fiscal irresponsibility. Representative governments throughout the world are playing a game of touch and go with survival because they formed the habit of spending beyond their means.

The Governor of New Hampshire stands ready to defend this recommended budget on the following grounds:

1. It provides a measure of progress within our means to pay.
2. It leaves room to substantially reward our faithful state employees for service rendered.
3. It leaves room for limited new programming.
4. It leaves a few dollars for a rainy day.

Most of all, my recommended budget would protect and preserve the fiscal integrity of the government of the State of New Hampshire.

Two years ago a majority of you stood shoulder to shoulder with me on the road of fiscal responsibility. You stood with me against heavy pressures. Our state is the better for it today. I am firm in the belief that if we continue our allegiance to soundness in this Session our State will be the better for it tomorrow.

On motion of Senator Gardner of District No. 6 the Convention rose.

HOUSE

Introduction of Guests

The Chair introduced the following as guests of the House:

A group of eleven Mexican students who are visiting the University of New Hampshire from Mexico City.

Mr. O'Hagan, a visitor from South Africa.

Leaves of Absence

Mrs. Berry of Barrington and Mr. Seamans of Concord were granted an indefinite leave of absence on account of illness.

Messrs Totman of Alstead and Kerslaw of Swanzey were granted leave of absence for the week on account of illness.

Mrs. Brown of Sandwich, Mr. Sawyer of Winchester and Mrs. Roulston of Salem were granted leave of absence for the week on account of important business.

Introduction of Bills

The following House Bills and House Joint Resolutions were severally introduced, read a first and second time, laid on the table for printing, and referred as follows:

By Mrs. Cooper of Nashua, House Bill No. 42, An act relative to property holding by the Nashua Protestant Home for Aged Women. To the Committee on Executive Departments and Administration.

By Mr. Maloomian of Somersworth, House Bill No. 43, An act providing limitations on rate of interest on loans of over three hundred dollars. To the Committee on Banks.

By Mr. Willey of Campton, House Bill No. 44, An act relative to forfeiture of fish and game not legally possessed. To the Committee on Fish and Game.

By Mrs. Ainley of Manchester, Ward 1, House Bill No. 45, An act relative to use of voting machines in the city of Manchester. To the Manchester Delegation.

By Mr. Haseltine of Merrimack, House Bill No. 46, An act providing for salaries for classified state employees. To the Joint Committees on Appropriation and Finance.

By Mr. Hancock of Concord, House Bill No. 47, An act amending the benefits payable upon retirement. To the Committee on Executive Departments and Administration.

By Mr. Gibson of Concord, House Bill No. 48, An act relative to skindivers. To the Committee on Executive Departments and Administration.

By Messrs. Collishaw, Eastman, Purington and Tufts of Exeter, House Bill No. 49, An act providing for a town meeting to be held on two consecutive days. To the Committee on Municipal and County Government.

By Mr. Willey of Campton, House Bill No. 50, An act relative to special fish and game licenses for non-resident members of the armed forces of the United States. To the Committee on Fish and Game.

By Mr. Drew of Farmington, House Bill No. 51, An act providing for open season for taking fisher. To the Committee on Fish and Game.

By Mr. Karnis of New Ipswich, House Bill No. 52, An act to authorize towns to adopt fire prevention code by reference. To the Committee on Municipal and County Government.

By Mr. Peever of Salem, House Bill No. 53, An act relative to meetings of the inter-departmental committee on welfare and institutions. To the Committee on Public Welfare and State Institutions.

By Mr. Shepard of Londonderry, House Bill No. 54, An act designating the house of correction in Rockingham county as a jail. To the committee consisting of the members of the Rockingham Delegation.

By Mr. Converse of Pittsburg, House Joint Resolution No. 5, Joint Resolution in favor of Harry L. Hurlbert. To the Committee on Finance.

On motion of Mr. Deans of Milford, printing of House Joint Resolution No. 5 was dispensed with.

Mr. Goode of Manchester introduced the following resolution:

Resolved, That the Sergeant-at-Arms of the House be instructed to procure and furnish to each member of the House, and officers thereof, during the days when the House is in session, two daily newspapers or one daily newspaper, or none if none is requested, published in the State, each member and officer to choose the papers or paper he desires to have and indicate the same to the Sergeant-at-Arms forthwith.

Mr. King of Manchester explained the resolution.

(discussion ensued)

On a *viva voce* vote the Chair was in doubt and called for a division.

The Division Vote being manifestly in the negative the resolution was lost.

Mr. Gilman of Farmington offered the following resolution:

Resolved, That the Sergeant-at-Arms of the House be instructed to procure and furnish to each member of the House, and officers thereof, during the days when the House is in session, one daily newspaper published in the State, each member and officer to choose the paper he desires to have and indicate the same to the Sergeant-at-Arms forthwith.

Personal Privilege

Mr. Kearns of Manchester rose on a point of personal privilege.

On a *viva voce* vote the resolution was adopted.

Qualified

The following named members, having qualified before His Excellency, Governor Wesley Powell, appeared during the session and took their seats as members of the House: Messrs. Daniel J. Healy, Alphonse Levasseur of Manchester, Charles P. Haley of Keene, John B. Seamans of Concord, Oscar P. Bissonette of Nashua, John D. Hackett of Epping and Edward F. Locke of New Boston.

Resolution

Mr. Contermarsh of Lebanon offered the following resolutions:

Whereas, The All Lebanon Band of Lebanon High School has been selected to go to our Nation's Capital, Washington, D. C. and participate in the ceremonies incidental to the Inaugural of the next President of the United States, the Honorable John F. Kennedy, and

Whereas, We are mindful of the great honor which has thus come to this band, its school, its city, and its state, therefore be it

Resolved, That we, the Members of the House of Representatives of the New Hampshire General Court, hereby extend our congratulations to the members of the band and our best wishes for a pleasant and successful trip to Washington, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to Hammond Young, Superintendent of Schools in Lebanon.

On a *viva voce* vote the resolutions were adopted.

Speaker's Remarks on Parliamentary Procedure

The Chair requested that when there is an issue to be debated on the floor of the House, each member who desires to

speak register with him in advance. The Chair feels that this advance notice from the members is essential to the orderly and efficient conduct of debate.

It has been the practice of the House that as long as there are still members who have informed the Speaker of a desire to speak and have not been recognized, he will not entertain a motion for the Previous Question. The Chair then explained for the benefit of new members that a motion for the previous question, in effect, would terminate debate.

The Chair also requested members who desired to propose unusual motions to notify the Chair in advance.

The Chair stated that during a roll call the doors would be locked and no one allowed to enter or leave, and requested the members to remain in their seats and to refrain from conversation during that period.

The Chair further informed the members that any guest on the floor would require a guest card to be procured either from the Speaker or the House Clerks. He also explained that no person with a special interest in any matter under consideration would be allowed on the floor during the period that the matter was being considered.

Announcements

The Chair announced the appointment of Messrs Chandler of Bartlett and Goode of Manchester as Majority Floor Leaders for the 1961 session.

The Chair also announced the appointment of Wayne Crosby of Hillsborough as legal counsel for the House for this session.

Mr. King of Manchester moved that the time of introduction of bills be extended one week, to January 26th, and spoke in favor of the motion.

(discussion ensued)

On a *viva voce* vote the motion was adopted.

The Chair stated that bills may be filed with either Miss Alexander or Mr. Crosby by title and subject matter to comply with above motion.

Corrected Committee Room Assignments

<i>Committee</i>	<i>Room</i>
Agriculture	306 State House
Appropriations	318 State House
Aviation	Liquor Commission
Banks	Community Room, Mechanicks Bank
Education	State Library
Elections	305 State House
Engrossed Bills	Secretary of State
Executive Departments and Administration	305 State House
Finance	303-A State House
Fish and Game	Wild Life Room
Insurance	208W Annex
Interstate Cooperation	Secretary of State
Journal	Clerk's Desk
Judiciary	304 State House
Labor	100 State House
Liquor Laws	Wild Life Room
Mileage	Sergeant-at-Arms
Military and Veterans' Affairs	208W annex
Municipal and County Government	207 Annex
Public Health	100 State House
Public Welfare and State Institutions	100 State House
Public Works	308 Annex
Resources, Recreation and Development	207 Annex
Rules	Speakers' office
Transportation	State Library
Ways and Means	306 State House

Attaches Appointed

Custodian of Mail and Supplies, Forrest A. Bucklin, Laconia

Warden of the Coat Room, J. Edward Silva, Concord
 Ass't Warden of the Coat Room, Fred Kelley, Littleton
 Library Messenger, Mellen B. Benson, Conway
 Telephone Messenger, Hilda C.F. Brungot, Berlin

Speaker's Page, Wilmot White, Moultonborough
 Judiciary and Finance Messenger, Carl S. Adams, Lebanon

Pages:

Division 1—H. Furber Jewett, Wolfeboro
 (also Public Address System operator)
 Division 2—Jeanne Quimby, Concord
 Division 3—Thomas Armstrong, Manchester
 Division 4—Randolph Milligan, Newbury
 Division 5—James Martin, Concord

House Stenographers

Alice V. Flanders, Henniker
 Marion C. Colby, Penacook
 Helen Y. Andrews, Tilton
 Dorothy F. Greenly, Henniker

Clerk's Secretary

Margaret L. Ford, Concord

Speaker's Secretary

Helene H. Wester, Concord

Mileage Clerk

Alice P. Pinkham, Northwood

Tellers

Division 1—Angus of Claremont
 Division 2—Kearns of Manchester
 Division 3—Deans of Milford
 Division 4—Bigelow of Warner
 Division 5—Peever of Salem

AGRICULTURE

Room 306 State House

Adams of Madbury, Chairman
 Stearns of Hinsdale, Vice-Chairman

Robertson of Gilmanton	Keneval of Boscawen
Spollett of Hampstead	Jennings of Goffstown
Purington of Exeter	Gilbert of Bath
Hayward of Milford	Oakes of Columbia
Adams of Lebanon	Farwell of Brookline
Persson of Candia	Watson of Rochester
Bragdon of Amherst	Gamache of Manchester,
Keith of Sutton	Ward 14
Hutchinson of Chichester	Barrows of Claremont
Brooks of Stewartstown	Dempsey of Franklin

APPROPRIATIONS**Room 318 State House**

Clement of Rochester, Chairman

Karkavelas of Dover, Vice-Chairman

Taylor of Whitefield	Miskelly of Keene
McCullough of Keene	Goode of Manchester, Ward 2
Loizeaux of Plymouth	Sheridan of Berlin
Vaughan of Newport	Neale of Hanover
Lord of Gilford	Bailey of Newport
Weeks of Greenland	Crowley of Manchester,
Taft of Greenville	Ward 14
Stonemetz of Dover	Bruton of Manchester, Ward 3
Roberts of Conway	Burke of Manchester, Ward 4
Gilman of Farmington	King of Manchester, Ward 10

AVIATION**Liquor Commission**

Henry of Concord, Chairman

Stonemetz of Dover, Vice-Chairman

Beard of Lebanon	Locke of New Boston
Gilman of Farmington	LaMott of Haverhill
Karnis of New Ipswich	Reid of Milton
Hackler of Swanzey	Eaton of Hillsborough
Sanders of Concord	Haseltine of Merrimack
Nalette of Manchester, Ward 12	Marcoux of Nashua, Ward 6
Lemay of Manchester, Ward 12	Chartrain of Nashua, Ward 7
Coutermarsh of Lebanon	Levasseur of Manchester,
Rosedoff of Nashua, Ward 2	Ward 12
Noel of Manchester, Ward 11	

BANKS**Community Room, Mechanics Bank**

Bigelow of Warner, Chairman

Gay of Derry, Vice-Chairman

Stevens of Epsom

Scott of Derry

Geisel of Manchester, Ward 2

Vey of Brentwood

Hambleton of Goffstown

Ecker of Manchester, Ward 6

Wiggin of Dover

Walsh of Manchester, Ward 5

Leighton of Dover

Delisle of Manchester, Ward 8

Asby of Canterbury

Maynard of Nashua, Ward 5

Broek of Hooksett

Compagna of Manchester,

Chandler of Portsmouth

Ward 8

Crockett of Gorham

Manning of Manchester,

Brocklebank of Hollis

Ward 5

Maloomian of Somersworth

EDUCATION**State Library**

Brown of Sandwich, Chairman

O'Neil of Chesterfield, Vice-Chairman

Faulkner of Keene

Potter of Northumberland

Berry of Barrington

Guest of Cornish

Whipple of Lebanon

Chandler of Canaan

Johnson of Franconia

Watkinson of Fitzwilliam

Low of Hanover

Daniell of Franklin

Heald of Durham

Hart of Manchester, Ward 3

Greene of Rye

St. Pierre of Rochester

Matheson of Center Harbor

Demers of Lebanon

Willard of Temple

Dionne of Nashua, Ward 6

Sullivan of Nashua, Ward 4

ELECTIONS**Room 305 State House**

Pillsbury of Manchester, Chairman

Peterson of Peterborough

Craig of Manchester

Willey of Campton

Sheridan of Berlin

ENGROSSED BILLS**Secretary of State**

Shepard of Londonderry	Kinghorn of Piermont
Burrill of Littleton	Cary of Manchester, Ward 9
Ayre of Laconia	

EXECUTIVE DEPARTMENTS AND ADMINISTRATION**Room 305 State House**

Hill of Littleton, Chairman

Peterson of Peterborough, Vice-Chairman

Burrill of Littleton	Allan of Meredith
Roulston of Salem	Kurth of Tuftonboro
Bowles of Portsmouth	Cote of Manchester
MacIsaac of Laconia	Clark of Lee
Aucella of Bennington	Eastman of Weare
Eaton of Hillsborough	Gagnon of Berlin
White of Portsmouth, Ward 4	Grimes of Dover
Osborn of Portsmouth	York of Concord
Carter of North Hampton	Dupont of Manchester, Ward 6
Morse of Enfield	

FINANCE**Room 303-A State House**

Rowell of Newport, Chairman

Bell of Plymouth, Vice-Chairman

Ballam of Walpole	Lang of Manchester, Ward 1
Shepard of Londonderry	Lesmerises of Manchester,
Martin of Littleton	Ward 13
McDaniel of Nottingham	Plourde of Pembroke
Kershaw of Swanzey	Daniell of Franklin
Fellows of Dover	Nolan of Manchester, Ward 4
Buckley of Mont Vernon	Twardus of Newmarket
Palmer of Plaistow	Belcourt of Nashua
Gibson of Concord	Belanger of Manchester,
Davis of Concord	Ward 10
Haseltine of Merrimack	

FISH AND GAME**Wild Life Room**

Converse of Pittsburg, Chairman

Spaulding of Plainfield, Vice-Chairman

Cheney of Newton	Anderson of Warren
Rollins of Alton	Gage of Grafton
Kimball of Jefferson	Brown of Danbury
Merrifield of Sunapee	Bushey of Northumberland
Rolfe of Rochester	LaFrance of Manchester,
Felch of Seabrook	Ward 7
Nickerson of Tamworth	Keating of Keene
Welch of Concord	Vashaw of Berlin
Drew of Farmington	Kinghorn of Piermont
McKay of Dunbarton	Guilbeault of Allenstown

INSURANCE**Room 208W Annex**

Hancock of Concord, Chairman

Williamson of Goshen, Vice-Chairman

Varney of Rochester	Betley of Manchester, Ward 5
Taylor of Ossipee	Maloomian of Somersworth
Lacaillade of Laconia	Plante of Manchester, Ward 7
Brewster of Pittsfield	Perrault of Berlin
Quinn of Concord	Szelog of Manchester, Ward 5
Paquette of Ashland	Dumas of Manchester, Ward 12
Stothart of Laconia	Allard of Manchester, Ward 13
Nickerson of Goffstown	Claveau of Hudson
Willey of Westmoreland	Provencal of Hudson
Spollett of Chester	

INTERSTATE COOPERATION**Secretary of State**

The Speaker	Ainley of Manchester
DeLude of Unity	King of Manchester, Ward 10
	Normandin of Laconia

JOURNAL**Clerk's Office**

The Speaker	Vachon of Manchester, Ward 14
Loizeaux of Plymouth	Belanger of Manchester (Ward
Aucella of Bennington	10)

JUDICIARY**Room 304, State House**

Totman of Alstead, Chairman

Frizzell of Charlestown, Vice-Chairman

Cooper of Nashua, Ward 1	Bingham of Concord
Peever of Salem	Carmen of Manchester, Ward 2
Griffin of Auburn	Pickett of Keene
Eastman of Exeter	Craig of Manchester, Ward 8
Haley of Keene	Healy of Manchester, Ward 6
London of New London	Martel of Manchester, Ward 3
Bennett of Keene	Pappagianis of Nashua, Ward 5
Ainley of Manchester	Normandin of Laconia
Gove of Concord	Brosnahan of Nashua (Ward 4)
Pillsbury of Manchester, Ward 2	

LABOR**Room 100 State House**

Angus of Claremont, Chairman

Stevenson of Bethlehem, Vice-Chairman

Haseltine of Merrimack	Kurth of Tuftonboro
Jennings of Concord	Chamberlain of Wolfeboro
Allen of Concord	Sanders of Concord
Berringer of Woodstock	Gallagher of Hudson
Richardson of Dover	Ingraham of Portsmouth
White of Derry	Dumont of Berlin
Parker of Keene	Bartlett of Goffstown
Milliken of Nashua, Ward 1	Fontaine of Berlin
Johnson of Rochester	Lovejoy of Concord
	Desilets of Berlin

LIQUOR LAWS**Wild Life Room**

Collishaw of Exeter, Chairman

Underhill of Nashua, Ward 1, Vice-Chairman

Murch of Portsmouth	Marsan of Rochester
Nahill of Claremont	Graham of Gorham
Audet of Concord	Brown of Keene
Stafford of Portsmouth	Magoon of Salem

LeDeux of Carroll	Bouchard of Berlin
Rousseau of Manchester, Ward 13	Healy of Manchester, Ward 8
Charland of Franklin	Hayes of Manchester, Ward 3
Chapdelaine of Manchester, Ward 13	Thibeault of Pembroke
Bergeron of Manchester, Ward 10	O'Connor of Manchester, Ward 6
	Vachon of Manchester, Ward 14

MILEAGE

Sergeant-at-Arms

McAllister of Barnstead	Kearns of Manchester
Mulhaire of Hooksett	Maloonian of Somersworth
Roberts of Conway	

MILITARY AND VETERANS' AFFAIRS

Room 208W Annex

Jenkins of New Castle, Chairman
LaMott of Haverhill, Vice-Chairman

Reid of Milton	Varney of Rochester
Hutchinson of Chichester	Cormier of Somersworth
Guest of Cornish	Bissonnette of Nashua, Ward 8
Beard of Lebanon	Bouley of Nashua, Ward 8
O'Shan of Laconia	Daniel of Manchester, Ward 3
Sawyer of Winchester	Boisvert of Nashua, Ward 7
Jones of Laconia	Cournoyer of Jaffrey
Campbell of Claremont	Linehan of Manchester, Ward 5
Johnson of Rochester	
Hackett of Epping	Cann of Claremont

MUNICIPAL AND COUNTY GOVERNMENT

Room 207 Annex

Deans of Milford, Chairman
Littlehale of Durham, Vice-Chairman

Hanson of Bow	Langford of Raymond
Pickering of Hancock	Thompson of Northfield
Smith of Meredith	White of Atkinson
Barker of Stratham	Bouthillier of Nashua, Ward 9
Warren of Lyndeborough	Desnoyer of Claremont
Howe of Tilton	Roche of Manchester, Ward 11
Davis of Conway	Gilman of Franklin
Emerson of Dalton	Gaffney of Claremont
Hackler of Swanzy	Desmarais of Jaffrey
Bradley of Thornton	

PUBLIC HEALTH**Room 100 State House**

Bowler of Hanover, Chairman

Green of Rollinsford, Vice-Chairman

Pinkham of Northwood	McCarthy of Laconia
Porter of Lebanon	Compagna of Manchester
Deming of Danville	Mahoney of Manchester,
Bragg of Lancaster	Ward 2
Collyer of Lisbon	Grandmaison of Nashua
White of Portsmouth, Ward 5	Dionne of Nashua, Ward 2
Cross of Portsmouth, Ward 5	O'York of Dover
Weber of Croydon	Mason of Nashua, Ward 7
Brown of Loudon	Potvin of Rochester
Chamberlain of Wolfeboro	Lavallee of Nashua, Ward 8

PUBLIC WELFARE AND STATE INSTITUTIONS**Room 100 State House**

Rufo of Concord, Chairman

Maxham of Concord, Vice-Chairman

Hayward of Hanover	O'Shan of Laconia
Scott of Deerfield	Wyatt of Strafford
Frost of Winchester	Tessier of Manchester
Bascom of Acworth	Carv of Manchester
Tarrant of Pittsfield	Leclerc of Manchester
Cole of Nashua	Blanchette of Dover
Crain of Surry	Vincent of Somersworth
Clark of Kingston	Peabody of Pelham
Wylie of Fremont	Bissonnette of Nashua, Ward 8
	Kirkorian of Nashua

PUBLIC WORKS**Room 308 Annex**

Galloway of Walpole, Chairman

Plumer of Bristol, Vice-Chairman

Dame of Portsmouth	Edwards of Antrim
Mulhaire of Hooksett	Turner of Gilsum
Moore of Bradford	Nickerson of East Kingston
Willey of Campton	Faulkner of Milford
Marsh of Colebrook	Newell of Concord

Fox of Wakefield	Downing of Newport
Newell of Hopkinton	McGee of Lincoln
Fortier of Berlin	Congdon of Troy
D'Amante of Claremont	Clark of Harrisville
Keefe of Portsmouth	

RESOURCES, RECREATION AND DEVELOPMENT

Room 207 Annex

	Hunter of Hampton, Chairman
	Rice of Peterborough, Vice-Chairman
Barney of Rumney	Terrill of Keene
Oliver of Marlborough	Hislop of Newington
Urie of New Hampton	Casassa of Hampton
Potter of Milan	Stinson of Stratford
Watson of Belmont	Dulac of Laconia
Locke of New Boston	Harkins of Laconia, Ward 2
Kimball of Derry	Sewall of Newmarket
Karsten of Holderness	Perrault of Berlin
Tufts of Exeter	Roy of Berlin
Phelps of Andover	

RULES

Speaker's Office

The Speaker	Goode of Manchester
Karkavelas of Dover	King of Manchester
Weeks of Greenland	Kearns of Manchester
Galloway of Walpole	

TRANSPORTATION

State Library

	Claffin of Wolfeboro, Chairman
	Soucy of Manchester, Vice-Chairman
Barnard of Concord	Pettigrew of Manchester
Carpenter of Henniker	Carkin of Portsmouth
Draper of Wilton	Boomhower of Franklin
Quinn of Concord	Blake of Madison
Maxfield of Rochester	Bingham of Concord

McGee of Lincoln	Lemay of Manchester
Coutermarsh of Lebanon	Sewall of Newmarket
Flanagan of Dover	Driscoll of Portsmouth
Proudhomme of Claremont	Littlefield of Somersworth
	Cushman of Orford

WAYS AND MEANS

Room 306, State House

Chandler of Bartlett, Chairman

Larty of Haverhill, Vice-Chairman

Haskins of Lyme	Waterhouse of Windham
McAllister of Barnstead	Hill of Conway
Wiggin of Bedford	Allen of Rindge
Prescott of Laconia	Kearns of Manchester
DeLude of Unity	Cullity of Manchester, Ward 4
Bevan of Durham	Morris of Manchester
Thompson of Effingham	Casey of Manchester
Ayre of Laconia	Hurley of Manchester, Ward 11
Colbath of Dover	Sabluski of Nashua
	Kretowicz of Keene

RESOLUTIONS

Messrs Gilman and Drew of Farmington offered the following resolutions:

Whereas, we have learned with sorrow of the passing of Donald C. Francoeur of Middleton, and

Whereas, Mr. Francoeur was a former Representative from that town and a long time town official from Middleton, therefore be it

Resolved, That we, the members of this House of Representatives, do hereby pay tribute to his service to his town and state and extend our sympathy to the family in its bereavement, and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk to his family.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. McGee of Lincoln offered the following resolutions:

Whereas, we have learned with regret of the passing of our former fellow member, Charles Griffin of Lincoln, and

Whereas, Mr. Griffin served in the capacity of Speaker of the House and has served his town, state and government in various ways, in a conscientious and sagacious manner, always with the welfare of his constituents in mind, therefore be it

Resolved, That we, the members of the 1961 session of the House of Representatives in General Court convened, do hereby extend our sympathy to his bereaved wife, and be it further

Resolved, That the Clerk transmit a copy of these resolutions to Mrs. Griffin.

On a standing vote the resolutions were unanimously adopted.

Mr. Warren of Lyndeborough offered the following resolutions:

Whereas, we have learned of the passing of our former fellow representative, Erwin R. Cummings, from the town of Lyndeborough, and

Whereas, Mr. Cummings served for many sessions in the House of Representatives and for two sessions in the Senate, as well as in many capacities in his town, carrying on his duties in a manner beneficial to his constituents, therefore be it

Resolved, That we, the members of the 1961 House of Representatives in General Court convened, do hereby extend our sympathy to his bereaved family and be it further

Resolved, That a copy of these resolutions be transmitted to Mrs. Cummings at Lyndeborough.

On a *viva voce* vote the resolutions were unanimously adopted.

Messrs. Morris, King and Hart of Manchester offered the following resolutions:

Whereas, we have learned of the death of our former Fellow Member, Thomas F. Sullivan of Manchester, and

Whereas, Mr. Sullivan has served previously in the House of Representatives, therefore, be it

Resolved, That we, the members of this House of Representatives, do hereby pay tribute to the memory of Mr. Sullivan and extend our sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to his widow.

On a *viva voce* vote the resolutions were unanimously adopted.

Messrs King and Hurley of Manchester offered the following resolutions:

Whereas, we have learned with regret of the death of George W. Smith of Manchester, and

Whereas, Mr. Smith served his city as a Representative from Ward 5 to the General Court for several sessions, therefore be it

Resolved, that we, the members of this House of Representatives pay our respect to the memory of Mr. Smith and extend our sympathy to the members of his family, and be it further

Resolved, That a copy of these resolutions be transmitted to his family.

On a *viva voce* vote the resolutions were unanimously adopted.

Mrs. Davis and Messrs Hill and Roberts of Conway offered the following resolutions:

Whereas, we have learned of the passing of our former fellow member, Elmer H. Downs of Conway, and

Whereas, Mr. Downs has been a member of the House of Representatives and an attache as well as serving his district in the Senate, carrying out his duties in an able manner, therefore be it

Resolved, that we, the members of this 1961 House of Representatives in General Court convened, do hereby extend to Mrs. Downs our sympathy in her bereavement and be it further

Resolved, that a copy of these resolutions be forwarded to her.

On a *viva voce* vote the resolutions were unanimously adopted.

Messrs Audet and Hancock of Concord offered the following resolutions:

Whereas, we have learned of the death of a former fellow member, William B. McInnis of Concord, and

Whereas, Mr. McInnis served his city and state in many different capacities, carrying out the duties of each office in a manner beneficial to the welfare of his constituents and the general betterment of his community and state, therefore be it

Resolved, that we, the members of the 1961 House of Representatives in General Court convened, do hereby express our sympathy to his family in its loss, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mrs. McInnis.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Sabluski of Nashua offered the following resolutions:

Whereas, we have learned of the death of Representative-elect Joseph E. Houde of Nashua, and

Whereas, Mr. Houde was a former fellow Representative from that city, therefore, be it

Resolved, That we, the members of this House of Representatives, do hereby pay tribute to the memory of Mr. Houde and extend our sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk transmit a copy of these Resolutions to his son, Mr. Roger A. Houde of Concord.

On a standing vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

On motion of Mrs. DeLude of Unity the House adjourned at 1:25 o'clock.

WEDNESDAY, JANUARY 11, 1961

The House met at 11:00 o'clock.

JOINT CONVENTION

Prayer was offered by the Chaplain as follows:

O Thou who dost touch the common clay of humanity, making of our dust splendid earthen vessels, each of value, each unique, transforming our mortality with transcendent qualities of immortal spirit, teach us to see the transcendence in human life. Teach us, O God, to bestow respect as well as great expectation on our Governor, the President of the Senate and the Speaker of the House. Enable us to regard one another, and, yes, even ourselves as creatures who have been lifted up to do an important work. So would we relate to one another in our public life, and in this prayerful consciousness of the trust, promise and responsibility which we share we take up our labors.

Amen.

Pledge of Allegiance to the Flag

Mr. Roberts of Conway led the House in the Pledge of Allegiance to the Flag.

House

Introduction of a Guest

The Speaker introduced Mr. James V. Bernardo, Chief of the National Aeronautics and Space Administration, Washington, D. C., as a guest. Mr. Bernardo addressed the House briefly.

The Speaker also introduced Howard Weinberg of Omaha, Nebraska and David Parks of Manitou Springs, Colorado, Dartmouth students here to observe the session, as a project in their study of government with the College.

Leaves of Absence

Messrs. Martel of Manchester and Asby of Canterbury were granted leaves of absence for the day on account of important business.

Communication

The Clerk read the following communication from Mrs. Phoebe Downing Powers:

West Brattleboro, Vermont
December 21, 1960

Hon. Stuart Lamprey
Speaker of the House of Representatives
Concord, New Hampshire

Dear Sir:

I am the duly elected Representative from the town of Ellsworth, New Hampshire. Since my election, I have been married and have moved to West Brattleboro, Vermont, which is now my home.

It is with great regret that I hereby tender my resignation as a Representative and request that you take whatever steps are necessary to provide for my replacement and to correct the records as far as may be necessary.

Very truly yours,

Mrs. Phoebe Downing Powers

The resignation was referred to the committee on Elections.

Introduction of Bills

The following House Bill and House Joint Resolution were severally introduced, read a first and second time, laid on the table for printing and referred as follows:

By Mrs. Taylor of Whitefield, House Bill No. 55, An act relating to the mental treatment of juveniles. To the Committee on Judiciary.

By Mrs. Frizzell of Charlestown, House Joint Resolution No. 6, Joint Resolution for appropriation for carrying out provisions relative to regional agreements for educational facilities for New Hampshire residents. To the Committee on Appropriations.

Qualified

The following named members, having qualified before His Excellency, Governor Wesley Powell, appeared during

the session and took their seats as members of the House: Messrs. Cheney of Newton, Shute of Lancaster, and Peaslee of Concord.

Resolutions

Mr. King of Manchester offered the following resolution:

Resolved, That the Clerk be instructed to have the budget message of Governor Wesley Powell printed in the Journal and that 600 additional copies be printed in pamphlet form.

On a *viva voce* vote the resolution was adopted.

Mr. Chandler of Bartlett offered the following resolution:

Resolved, That the rules regarding smoking from 11 to 12 noon during the sessions of the House which were observed during previous sessions be in force for this session.

On a *viva voce* vote the resolution was adopted.

Monitors for Mileage Boards

The Clerk read the following names of members for monitors for Mileage Boards.

Division 1

Carter of North Hampton, seats 1 through 17

Congdon of Troy — substitute

Mulaire of Hooksett, seats 18 through 42

Barney of Rumney — substitute

Division 2

Stonemetz of Dover, seats 1 through 22

Beard of Lebanon — substitute

Terrill of Keene, seats 23 through 52

LaMott of Haverhill — substitute

McAllister of Barnstead, seats 53 through 77

Campbell of Claremont — substitute

Locke of New Boston, seats 78 through 101

Spalding of Plainfield — substitute

Division 3

Miskelly of Keene, seats 1 through 23

Deans of Milford — substitute

Wiggin of Bedford, seats 24 through 53

Converse of Pittsburg — substitute

Sabluski of Nashua, seats 54 through 89
Pinkham of Northwood — substitute
Walsh of Manchester, seats 90 through 119
Delisle of Manchester — substitute

Division 4

Stevenson of Bethlehem, seats 1 through 22
Robertson of Gilmanton — substitute
Maxham of Concord, seats 23 through 52
Varney of Rochester — substitute
Anderson of Warren, seats 53 through 77
Carkin of Portsmouth — substitute
Rolfe of Rochester, seats 78 through 101
Collishaw of Exeter — substitute

Division 5

Larty of Haverhill, seats 1 through 25
Kershaw of Swanzey — substitute
Lacaillade of Laconia, seats 26 through 42
Lang of Manchester — substitute

Resolutions

Mr. Hanson of Bow and Mr. Quinn of Concord offered the following resolutions:

Whereas, we have learned of the death of Ernest W. Saltmarsh, duly elected Representative from Ward VI of Concord, and

Whereas, Mr. Saltmarsh has served in previous sessions in a way which did credit to his city and state, therefore be it

Resolved, that we, the members of the 1961 House of Representatives in General Court convened, do hereby extend our sympathy to his widow and be it further

Resolved, that a copy of these resolutions be transmitted to Mrs. Saltmarsh.

On a standing vote the resolutions were unanimously adopted.

Mr. Keefe of Portsmouth offered the following resolutions:

Whereas, we have learned with regret of the death of our former Fellow Member, Mary C. Dondero of Portsmouth, and

Whereas, Mrs. Dondero served in many sessions of the House of Representatives, was Dean of Democratic Women in legislative service, served as Mayor of Portsmouth and President of the Order of Women Legislators, known as the Owls, was National Committeewoman in the Democratic party, in all of which she gave of her talents faithfully and with distinction to her community, state and nation, therefore be it

Resolved, that we, the members of this 1961 House of Representatives in General Court convened, hereby pay tribute to her great service and extend our sympathy to her family, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Mrs. Dondero's family.

On a standing vote the resolutions were unanimously adopted.

Mr. O'Shan of Laconia offered the following resolutions:

Whereas, we have learned of the death of one of our former fellow members, Elmer S. Tilton of Laconia, and

Whereas, Mr. Tilton served for many sessions in the House, having been a conscientious member of the Appropriations committee, conducting his duties in a manner beneficial to the welfare of his constituents and the prosperity of his community and state, therefore be it

Resolved, that we, the members of this 1961 session of the House of Representatives in General Court convened do hereby pay our respect to the memory of Mr. Tilton and be it further

Resolved, that a copy of these resolutions be transmitted to his son.

On a standing vote the resolutions were unanimously adopted.

Mr. Bragg of Lancaster offered the following resolutions:

Whereas, we have learned of the death of Walter E. Swett, duly elected Representative from Lancaster, and

Whereas, Mr. Swett has served in previous sessions in a way which did credit to his town and state, therefore, be it

Resolved, that we, the members of this House of Representatives, do hereby extend our sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to Mrs. Swett.

On a standing vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3 o'clock this afternoon to be in order at the present time, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

On motion of Mrs. Vey of Brentwood the House adjourned at 11:49 o'clock.

THURSDAY, JANUARY 12, 1961

The House met at 11:00 o'clock.

JOINT CONVENTION

Prayer was offered by the Chaplain as follows:

O God, in our prayer we would remember the words of the prophet Micah: — "He hath showed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?" (Micah 6:8)

We would remember the words of Jesus: — "Seek ye first his kingdom, and his righteousness; and all these things shall be added unto you." (Matthew 6:33)

O Lord, we would remember these words of our religious traditions to do them.

Amen.

Pledge of Allegiance to the Flag

Mr. Cormier of Somersworth led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group from the Junior Department Sunday School of the United Baptist Church of Somersworth as guests of the House today courtesy of the Somersworth Delegation.

Leaves of Absence

Messrs. Peever of Salem, Pinkham of Northwood and Carmen of Manchester were granted leave of absence for the day on account of important business.

Resolutions

Mr. Goode of Manchester offered the following resolutions:

Resolved, That the salary of the members of the House of Representatives be so divided that any member may receive one-fourth of his salary monthly for the first three months, the balance to be paid at the adjournment of the session, and be it further

Resolved, That mileage of members of the House of Representatives be paid every two weeks during the session.

On a *viva voce* vote the resolutions were adopted.

Mr. Galloway of Walpole offered the following resolution:

Resolved, That the Clerk of the House be instructed to procure 1500 copies of standing committees in booklet form.

On a *viva voce* vote the resolution was adopted.

Mr. Chandler of Bartlett offered the following resolutions:

Whereas, we have learned of the death of William Shackley of Concord, and

Whereas, Mr. Shackley operated the lunch stand in the basement of the State House, where he served the members

of this House in an accommodating and cheerful manner, therefore be it

Resolved, that we, the members of this House of Representatives in General Court convened, do hereby, express our sympathy to the family of the deceased, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mrs. Shackley.

On a *viva voce* vote the resolutions were adopted.

Mr. London of New London offered the following resolutions:

Whereas, Stanley Spiller of New London has passed away, and

Whereas, He was for several terms a Representative from his town to the Legislature, and

Whereas, he was the founder of the Council of Towns, and served his town as Library Trustee and Supervisor of the Checklist, therefore be it

Resolved, That we, the Members of the House of Representatives of the New Hampshire General Court, hereby pay tribute to his services to his town and state and extend our sympathy to his family, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to the widow, Mrs. Spiller.

On a *viva voce* vote the resolutions were adopted.

Mr. Johnson of Franconia offered the following resolutions:

Whereas, we have learned with sorrow of the passing of one of our former fellow members, Nina E. Peabody of Franconia, and

Whereas, Mrs. Peabody served in the House for several sessions bringing credit to her town and state, therefore be it

Resolved, that we, the members of the House of Representatives in General Court convened, do hereby pay tribute to the memory of Mrs. Peabody and extend our sympathy to her bereaved family, and be it further

Resolved, that a copy of these resolutions be transmitted to her son, Roger Peabody.

On a *viva voce* vote the resolutions were adopted.

Mr. Spalding of Plainfield offered the following resolutions:

Whereas, we have learned with regret of the passing of a former fellow member, Palmer C. Read of Plainfield, and

Whereas, Mr. Read was not only a member of the House for several sessions but served as an attache and as a County Commissioner for Sullivan County, therefore be it

Resolved, that we, the members of the 1961 House of Representatives do hereby pay tribute to the memory of one who has served his community, county and state so faithfully and extend our sympathy to his bereaved family, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mrs. Read.

On a *viva voce* vote the resolutions were adopted.

Attaches Appointed

The Chair announced the appointment of William Palfrey as Messenger and Mrs. Eleanor C. Brown as Secretary for the Appropriations Committee.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3 o'clock this afternoon to be in order at the present time, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Committee Changes

Mrs. Cole of Nashua from Public Welfare and State Institutions to Education.

Mr. Sullivan of Nashua from Education to Transportation.

Mr. Bingham of Concord from Transportation.

Mr. Shute of Lancaster to Transportation.

Mr. Peaslee of Concord to Public Welfare and State Institutions.

Mr. Lemay from Transportation.

Mr. Dumont of Berlin on Appropriation (alternate for Burke).
Mr. Haseltine of Merrimack from Labor.
Mr. Joselyn of Sanbornton to Labor.
Mr. Kurth of Tuftonboro from Labor.
Mr. Habel of Somersworth to Labor.
Mrs. Gowing of Dublin to Municipal and County Government.
Mr. Ledoux of Carroll to Aviation from Liquor Laws.
Mr. Clancy of Manchester Ward 6 to Liquor Laws.

Afternoon Session

On motion of Miss Spollett of Hampstead the House adjourned at 11:17 o'clock.

TUESDAY, JANUARY 17, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain:

Giver of every good gift, we stand to acknowledge our indebtedness to Thee, the Creator of life, for all that we have and all that we are. Teach us to be worthy of these gifts which we hold in trust, that we who are blessed within the rights and privileges of freedom may bear well our responsibilities, that we who turn to Thee for help in our stresses and trials may in our hours of strength find in Thee a Light beyond our present pleasures to lead us into paths of greater good and nobler blessedness.

Amen.

Pledge of Allegiance to the Flag

Mr. Cheney of Newton led the Convention in the Pledge of Allegiance to the Flag.

Governor's Message

Governor Wesley Powell appeared before the Joint Convention and delivered the following message:

MESSAGE OF GOVERNOR WESLEY POWELL
TO A JOINT CONVENTION OF
THE LEGISLATURE — TUESDAY, January 17, 1961

I appreciate very much the understanding remarks and communications many of you have addressed to me since the delivery of my budget message a week ago. There is not one of us unaware of the good feeling which could accompany an ability to appropriate for every department of our state government all of the dollars which would be needed to finance the cost of all worthy projects and programs. Nevertheless, all of us must face the fact that our responsibility is to use our best judgment as to how the dollars available shall be allocated.

Last Tuesday you were informed that if you approved the over-all total involved in my General Fund budget recommendations there would be available for new programing during our present session together an estimated surplus of \$5,445,014. I took the liberty to remind you that the \$1,200,000 of this representing estimated lapses to the General Fund should be considered speculative. It is the opinion of the Executive branch that reasonable weight should be given to this reminder throughout the session.

Today I submit to you some recommendations with regard to treatment of the estimated surplus.

1. You are aware that in the last session of the Federal Congress a medical insurance plan was adopted. Dollars appropriated for the operation of this plan would be made available to the states on a matching formula, but considerable leeway is given to the states in the determination of eligibility for citizen assistance under this plan.

Whether recommendations to be submitted to the new Federal Congress are adopted or not, features of the plan passed by the last Congress will continue. At such time as full information regarding Federal participation in medical insurance is available I shall consult with your committee further regarding New Hampshire participation. Meanwhile, it is my recommendation that we participate but that in our state we establish such standards of eligibility as would restrict

additional state spending for medical-surgical care in the next biennium to \$500,000. I repeat that this would be in addition to the very substantial sums now spent in this area by our Welfare Department. If it is your decision to participate in a medical insurance plan, and my dollar recommendation were accepted, it would reduce the estimated surplus to \$4,945,014.

2. Had it not been for the fiscal situation I would have recommended to the last session of the Legislature an appropriation for aid to local school districts which conduct special classes for retarded children. It is my recommendation that by special legislation you appropriate \$150,000 for this purpose for the coming biennium. If this were done, the estimated surplus would be \$4,795,014.

3. A bill has been introduced to provide \$100,000 for the coming biennium to help subsidize New Hampshire young men and women who are or will be medical students at the University of Vermont. It is my recommendation that this legislation be passed. If this were done, the estimated surplus would be \$4,695,014.

More detailed explanations will be submitted by the sponsors of this bill to the appropriate committees of the Legislature, but I would like to say a word with regard to it. Previously, the Legislature authorized New Hampshire membership on the New England Board of Higher Education and in the 1959 session you established authority to appropriate funds to implement this program but funds were not actually appropriated because of the fiscal situation. Since that time, the University of Vermont has decided that in connection with the attendance of students from other New England states at its medical college it will establish direct contractual relationships with the states. The bill which has been introduced would give only to New Hampshire members of the Board the authority to study and recommend the students in whose behalf payments would be made from our treasury to the University of Vermont. Their decisions would be subject to review by the Comptroller and thereafter presented to Governor and Council for approval. It is understood that the determination of payments in behalf of New Hampshire students at Vermont Medical School would be determined in part upon the basis of individual need so that we could be certain that the subsidy provided for would

be available to those who could neither be admitted nor continued at the medical school without such assistance.

The basic reason for recommending this student subsidy is, of course, the general shortage of physicians and the fact that in New Hampshire we do not have a state supported medical school. I believe this program to be necessary and worthwhile. It is my hope you will share this belief.

4. It is my recommendation that citizens generally be allowed to share in the treasury surplus which is accumulating and that \$1,000,000 be appropriated back to our local communities as a direct form of aid. If the Legislature shares this view I hope it will share also the thought that the distribution be achieved through the state treasury. It is my personal recommendation that the distribution be to the local school districts on the basis of student enrollment and that the allocations be earmarked for payment over to reduce existing capital debt.

The most vital point I would like to make in connection with this recommendation is that to my mind this is a sharing of a surplus with those who helped to create it. It is my position that it should be made clear that such a million dollar appropriation is for the coming biennium only. It is the belief of the executive branch that the fiscal position of the state simply could not justify the use of a million dollars to expand a present program or establish a new program of aid on a permanent basis. This item would reduce the estimated surplus to \$3,695,014.

5. In connection with reorganization recommendations to be submitted to you involving our state government's mental health program, there will be a request for the total sum of \$100,000 in addition to the amounts recommended in the budget message for present mental health institutions and programs. If this request is granted, the estimated surplus would be reduced to \$3,595,014.00.

6. In the closing days of the 1959 session you appropriated \$120,000 to the Planning and Development Commission for an increased promotion and advertising program. Through an oversight, sums involved in this appropriation were not made non-lapsing at the end of the first fiscal year. Now before you is a special bill to restore this amount to the Commission. It is my recommendation that the bill receive your favorable consideration and that there be added to it the sum of \$1,500

to restore the amount which the Commission has allocated toward the total cost of the New Hampshire float in the Inaugural festival at Washington later this week. If the total sum of \$21,500 is appropriated to the Commission then the estimated surplus would be reduced to \$3,573,514.00.

7. It is my duty to inform you at this point that based upon experience and all factors, including the uncertainties of the present and future economic situation in the United States, after all appropriation requests acted upon favorably by the General Court there must remain a balance of at least \$500,000 in the estimated surplus for the coming biennium. I believe that any person occupying the governorship at this time would submit a like recommendation and establish such a "must." The executive branch would appreciate your full acceptance of this standard as an essential policy. This would reduce the estimated surplus to \$3,073,514.00.

8. Some of you are familiar with the disease called cystic fibrosis from which some children in the state suffer. You may not be as aware that beyond the tragic results of the disease suffered by the ravaged children is also the tragic economic effect upon families of limited income. To some degree, existing appropriations have given assistance in these situations but it is my recommendation that the sum of \$40,000 be appropriated to the Health Department for the biennium to implement the assistance to be extended through the regular appropriations. This would reduce the estimated surplus to \$3,033,514.

9. In connection with the records and archives building recommended in the capital budget, an operating budget in the amount of about \$39,000 would be necessary if the building is authorized. This is recommended for your favorable consideration. This would reduce the estimated surplus to \$2,994,514.

10. In your 1959 session you established a scholarship program for nurses training. I recommend that the program be continued. The cost is estimated at \$52,000, which would reduce the estimated surplus to \$2,942,514.

11. This estimated surplus of \$2,942,514.00 would be available in connection with other "legislative specials" we will be required to consider together, including state employee pay raises and retirement benefits.

On the specific subject of employee pay raises I offer the following recommendations.

Basing my judgment upon all known economic factors, it is my recommendation that in appropriating dollars for state employee pay increases this year it be made clear that the increases are for the coming biennium only and that the legislative and executive branches must determine, during your next session, whether funds likely to be available in the biennium 1964-65 would sustain the rate of increase. In other words, Ladies and Gentlemen of the General Court, I believe that it is sound policy for us to share a substantial portion of the presently anticipated surplus with the employees of our state government. On the other hand it makes good sense also to put the state family on notice that they can expect newly established scales to be continued only if economic conditions do not adversely affect state revenues. Putting it still another way, I want to emphasize my own position in opposition to any action during our present service together which would make inevitable the imposition of new taxes upon the people of New Hampshire when the Legislature meets again. It is my total belief, as a result of my experience in this place and the careful attention to detail which I have sought to apply, that if we make real effort to put the house of state government in good order and are prudent in our spending programs, there will continue to be room for reasonable progress in state government programing for years to come without indulging in the forms and extent of taxation which have worked economic hardship upon so many sister states.

I have a further recommendation which I sincerely hope will be subscribed to by a majority in the Legislature. It is my recommendation that in determining the rate of increase for the various classifications of state employees you weight the increase in favor of the lower grades in order to establish a decent wage for these members of our state family. The present minimums in these lower grades are no credit to our state government and I earnestly recommend that prior to all other considerations you establish a minimum which will curtail the severe turnover of employees in the lower grades and extend to these whose services are so absolutely essential to our departments and institutions the opportunity for marked improvement in their standard of living. In this regard, my Legislative

Counsel will appear before your committee when the pay raise issue is under active consideration and, in my behalf, extend these remarks with respect to the lower classifications.

Better administration of our state departments generally can improve the efficiency of state service and can help provide better pay for those in essential jobs, and help provide dollars for the further expansion of essential programs. Any person occupying the office I hold would find such a conclusion to be inescapable.

In the privacy of my office, some of those who share with me the responsibility for administering state affairs have openly admitted their personal knowledge that their departments need overhauling. Although agreeing with me that the majority of our state family are truly interested and highly dedicated civil servants, they have openly admitted their own frustration with the costly minority who do not carry their share of the load and frequently take their own good time about reporting to work and pretty much set their own standards as to what time of day they shall make their departure. Frankly, I admit to some irritation from this, for it is the responsibility of those who head the departments of government not only to be thoughtful toward those who are serving the state well but to promptly take action with regard to those who are not grateful for the opportunity to serve the people and whose service is of a standard which should not be tolerated. In the privacy of my office, I have already informed some department heads of the determined effort I intend to make during this two-year period to rid the public payroll of those whose interest in it is simply a selfish one. This morning I share with you the warning to all who head departments of this state government that in the discharge of my own duties they will henceforth be held responsible for their failure to take forthright action regarding situations or persons whose presence upon the payroll is not in the public good. Please know also that I shall be just as determined to see to it that, except for such action as the Legislature itself may take with respect to the authorization of positions, persons on the public payroll are protected against prejudices or any unwarranted action against them.

I am sure that the foregoing expressions are not heard by you today with any degree of surprise. We have reached a point where the cost of government is so great, and the demands

for new positions so many, that if public action is necessary to achieve full order within state government and to accomplish proper responses from department heads it will be taken. Any person occupying an executive or administrative position discovers early that his hardest task is the reduction of employment and yet those who would be worthy of such places of authority cannot shirk this task. Furthermore, no department head should allow himself to belong in a situation which sees those for whom he is responsible violating reasonable hours of work whether by late reporting, early departures, or inattention to duty during the day. In my first term, I refrained from any public comment along this line but I have been intensely observant and were such observations not very appropriate this day they would not be made.

In consideration of the majority of our state employees who are devoted and ably attentive to their duties, I take the liberty to recommend that the substantial portion of the \$2,942,514 otherwise not recommended to or appropriated by the Legislature be made available for pay raises and retirement benefits as a reward for faithful service.

It is my recommendation that whatever rate of increase is granted to employees paid from the General Fund be given also to the employees of the so-called restricted revenue agencies except where corresponding increases have been already authorized by you or by administrative action. In so far as unclassified positions are concerned, it is my recommendation that no increase be legislated for those positions for which a new salary level has been established by administrative or executive action but that the concentration be upon those unclassified positions which have not been considered since the last general pay raise.

With regard to pay increases for both classified and unclassified positions in Highway, Motor Vehicle, and State Police, I would recommend your favorable consideration, in part at least, to suggestions which will be submitted to you by the Motor Vehicle Commissioner covering very moderate increases in motor vehicle registration and driver license fees. I have found throughout New Hampshire general enthusiastic approval of our highway construction and improvement program as a real help to the expansion of the economy of our state. Just as my recommendations in the General Fund operating

budget would safeguard the highway fund as the source of dollars necessary for further highway improvement, so is this recommendation made with the view of safeguarding the continuation of the highway program.

In addition, out of my experience of the last two years I submit certain recommendations now with respect to the salary adjustment fund. It is my recommendation that this fund be made non-lapsing the first year of the biennium. I recommend further that authority with regard to the fund be broadened so that upon recommendation of the Personnel Commission, Governor and Council could approve increases in certain salaries during the biennium. You are aware that at the present time Governor and Council have the authority to increase the pay for certain positions when these positions are vacant and an increase is necessary in order to hire the services of qualified individuals. You may not be aware that sometimes we are on notice that the occupant of such a position is to depart from state service because his or her pay is not sufficient, and that frequently it is found that the new employee has to be hired at an amount in excess of what the former occupant would have been willing to stay for. It is largely such situations as this which the recommended broadened authority would empower Governor and Council to meet. It is for your judgment whether such new authority should be granted but I now meet my duty to inform you regarding another awkward kind of situation which we face from time to time when you are not in session.

Earlier in this message I made reference to the fact that there are many unknowns with regard to economic conditions during the next biennium and what effect economic conditions could have upon state revenues. In this connection, and to meet what I consider to be a duty of my office, I recommend that the Legislature consider extending to Governor and Council authority to reduce the rate of expenditure if it were to appear quite certain that reduction of revenues threatened to throw the state government budget out of balance. Provision would be made to see to it that such authority as I suggest could not be exercised except in response to a finding by the Legislative Budget Assistant, the Department of Administration and Control, and the State Treasurer. I submit this recommendation to you out of the feeling that I would be remiss in my duty were I not to do so.

There are those who will interpret some recommendations of the Executive simply as attempts to gain further authority. One who occupies this place lives to anticipate that kind of response occasionally. It is my thought that in so far as your consideration is concerned, you will look upon these recommendations as matters which I feel compelled to bring to your attention and that you will recognize that your judgment with respect to them will be received in a friendly way.

The other point I would like to make in closing is that in making some specific recommendations to you today there is no purpose at all to attempt to exclude the consideration of other matters involving appropriations. It is my hope that throughout our session together each of us will feel free to consult with the other regarding individual proposals from either the executive or the legislative branch and with regard to changing conditions which could very well change the approach of either or both of us to certain programs and appropriations. Where bills seem to be required in connection with recommendations I have submitted they will be introduced promptly, but with specific reference to the subject of state employee pay raises and retirement benefits it is my respectful request that the members of the appropriate committee consider my recommendations as they proceed with hearings upon bills introduced by others.

On motion of Senator Buckley of District No. 22 the Convention rose.

House

Leaves of Absence

Mr. McCullough of Keene was granted leave of absence for the day on account of illness.

Mr. Burke of Manchester was granted an indefinite leave of absence on account of illness.

Messrs. Haley of Keene, Green of Rollinsford and Kershaw of Swanzy were granted leave of absence for the week on account of illness.

Mrs. Hayward of Hanover and Mr. Plourde of Pembroke were granted leave of absence for the week on account of important business.

Communications

The following communication was received by the Speaker:

Honorable Stewart Lamprey
Speaker, House of Representatives
State House
Concord, New Hampshire

Dear Mr. Speaker:

As another legislative session begins, I am reminded of the very difficult parking problems that past sessions have brought to the Concord Post Office. Perhaps this letter, if you will share it with other members of the House, will afford us some relief.

The Concord City Government has set aside three twelve-minute meters directly in front of the main post office on North State Street and six twelve-minute meters on the north side of Capitol Street adjacent to our south entrance for the use of our postal patrons, and these spaces should not be used for legislative parking. Additionally, the post office parking lot is limited strictly to the use of building employees.

The cooperation of you and your colleagues in this matter will be personally appreciated.

Sincerely,
Richard W. Eddy
Postmaster

The Speaker extended remarks concerning parking by members in front of the Post Office and the A & P Market and asked that the members refrain from parking in those locations and also that they limit their parking on Main Street as much as possible.

Petition

The following petition was read by the Clerk:

Petition**To the General Court**

Under authority of Article 32, Part 1, of the Constitution which provides that

"The people have a right in an orderly and peaceful manner to assemble and consult — upon the common good, give instructions to their representatives and request of the legislative body by way of petition or remonstrance redress of the wrongs done them and of the grievances they suffer",

the undersigned now petitions the General Court as follows: that on November 8, 1960 the voters of the town of Salisbury, N. H., elected Elmer M. Hunt to be their representative in the House of Representatives, now in session.

They did this in accordance with Article 11, first part, of the Constitution, which states that every inhabitant of the state "has equal right to elect and be elected to office" and also in accordance with Article 13, second part, of the Constitution, which states that "all persons qualified to vote in the election of senators shall be entitled to vote within the district where they dwell, in the choice of Representatives".

This action of the voters of Salisbury, however, appears *not* to have been in accordance with Article 11, second part, of the Constitution which relates to representation of so-called "part-time" towns.

Under that article, the secretary of state has classified Salisbury as one of the towns "not entitled" to representation at this session.

Whereas the undersigned, so elected by the voters of Salisbury and representing them, does hereby now make petition, that

Whereas under Article 11, first part, and Article 13, second part, of the Constitution he may present himself as properly elected to office; and under Article 11, second part, he may be deemed to be improperly so elected

And whereas the situation so created may have a direct bearing on the deliberations of the House regarding reapportionment for the next 10 year period beginning 1963, the entire matter be laid before the Supreme Court requesting opinion on the following questions:

Question 1. Before Article 11, second part, establishing "part-time" towns, and appearing to have been adopted to amendment No. 6 to the Constitution, on November 3, 1942,

could become effective, should not Article 11, first part and Article 13, second part, have been repealed and should they not now be repealed in order to make Article 11, second part, legal?

Question 2. If Article 11, second part, was not on Nov. 3, 1942, presented to the voters as a "true copy", which it appears not to have been, of amendment 6, but instead a garbled and deleted version, should it not again be voted on in its true and correct form before it can become effective?

Question 3. If the answer to question 1 and 2 are in the affirmative, should not the three articles in the Constitution, which appear to be in contradiction to each other be referred again to the Constitutional convention for action prior to the next session of the General Court in 1963 for instruction as to seating?

Elmer M. Hunt

The petition was referred to the committee on Elections.

Concurrent Resolutions

Mr. Heald of Durham offered the following concurrent resolutions:

Whereas July 2, 1962, marks the centennial of legislation providing for the establishment of the national system of land-grant colleges and state universities; and

Whereas the State of New Hampshire has been the beneficiary of the extensive services of its land-grant institution, the University of New Hampshire; and

Whereas there has been established national recognition of the celebration of the Centennial of this historic Act by the United States Congress;

Now therefore be it *resolved*, that the New Hampshire General Court join in statewide observance of the 100th anniversary of the signing of the Land-Grant Act by President Abraham Lincoln.

On a *viva voce* vote the concurrent resolutions were adopted.

Resolutions

Mr. Goode of Manchester offered the following resolution:

Resolved, that the Clerk be instructed to procure five bill binders for each members of the Committees on Appropriations, Executive Departments and Administration, Judiciary, Finance, and Ways and Means, and for each chairman and clerk of other committees.

On a *viva voce* vote the resolution was adopted.

Introduction of Bills

The following House Bills were severally introduced, laid on the table for printing and referred as follows:

By Mr. Newell of Concord (Ward 7) House Bill No. 56, An act eliminating the requirement for certain reports to the state board of health. To the Committee on Public Health.

By Mr. Rolfe of Rochester, House Bill No. 57, An act reducing the bounty on bobcat. To the Committee on Fish and Game.

By Mr. Burrill of Littleton and Mr. Haskins of Lyme, House Bill No. 58, An act establishing a division of records management and archives. To the Committee on Judiciary.

By Mr. Geisel of Manchester, House Bill No. 59, An act relating to Amoskeag Savings Bank. To the Committee on Banks.

By Mr. Flanagan of Dover, House Bill No. 60, An act relative to the police department of the city of Dover. To the Dover Delegation.

By Mr. Hancock of Concord, House Bill No. 61, An act changing the name of Union Insurance Company of America, Inc. To the Committee on Judiciary.

By Mr. Bell of Plymouth, House Bill No. 62, An act relative to removal of prisoners from county jails. To the Committee on Judiciary.

By Mr. Drew of Farmington, House Bill No. 63, An act providing one season for the taking of deer. To the Committee on Fish and Game.

By Mr. King of Manchester, House Bill No. 64, An act relative to procedure for establishment of commercial code records in the office of the secretary of state. To the Committee on Appropriations.

Parliamentary Inquiry

Miss Collyer of Lisbon rose on a question of Parliamentary Inquiry.

Resolutions

Mr. Aucella of Bennington offered the following resolutions:

Whereas, the 20th day of January marks the end of the presidential duties of Dwight D. Eisenhower, and

Whereas, his regime has been one of peace and prosperity to the nation as well as goodwill towards his fellow men, therefore be it

Resolved, that we, the members of the New Hampshire House of Representatives in General Court convened, do hereby commend President Eisenhower for his sagacity in his dealings with the world and thank him for his able leadership through these years, with a hope that he may continue in his service to humanity for many more years with good health in mind and body, and be it further

Resolved, that the Clerk of this House of Representatives transmit a copy of these resolutions to Dwight D. Eisenhower.

Mr. Pickett of Keene spoke in favor of the resolutions:

On a standing vote the resolutions were unanimously adopted.

Mr. Bigelow of Warner moved that the rules of the House be so far suspended as to dispense with the printing of House Bill No. 59, An Act relating to Amoskeag Savings Bank.

The Clerk read the bill in full.

Mr. Bigelow of Warner spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Introduction of a Senate Bill

The Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 4. An Act increasing the salary of the Hillsborough county attorney.

Senate Bill No. 4 was laid on the table and referred to the Hillsborough Delegation.

Resolutions

Messrs. Lovejoy, Sanders, Quinn and Peaslee of Concord offered the following resolutions:

Whereas, George H. Corbett, former Representative from Concord to the House of Representatives, has passed away, and

Whereas, He served several sessions in our Legislature, not only serving in that capacity but giving generously of his musical talents, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, do hereby pay tribute to his services to his city, state and fellowmen and extend our sympathy to his widow in her bereavement, and be it further

Resolved, That the Clerk of the House transmit to Mrs. Corbett a copy of these Resolutions.

Messrs. Rufo and Jennings of Concord Ward 9 offered the following resolutions:

Whereas, we have learned with regret of the passing of Joseph Comi, a former fellow member from Ward 9, Concord, and

Whereas, Mr. Comi served on the Committee on Labor in the House during his several sessions of service valiantly supporting the cause of labor, therefore be it

Resolved, that we, the members of the 1961 House of Representatives in the General Court convened, do hereby pay tribute to the memory of one who has done so much for his community and state, and extend our heartfelt sympathy to the family in its bereavement, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to his daughter, Mrs. Tilda Tremblay.

On a *viva voce* vote the resolutions were adopted.

Mr. Bragg of Lancaster offered the following resolutions:

Whereas, Blake T. Schurman of Lancaster has passed away, and

Whereas, He was a former Representative from his town and former Senator from his District and held local and civic positions including Supervisor of the Checklist, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to his services to his town and state and extend our sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit to the widow, Mrs. Schurman, a copy of these Resolutions.

On a *viva voce* vote the resolutions were adopted.

Qualified

Mr. Claveau of Hudson, having qualified before His Excellency, Governor Wesley Powell, appeared during the session and took his seat as a member of the House.

Announcement

Change in Monitors:
Section 3 — seats 54 to 89
Cormier replacing Sablusi
because of seat changes

Resolutions

Messrs. King, Kearns, and Craig of Manchester, Daniell of Franklin, Normandin of Laconia, Sablusi of Nashua, Courtemarsh of Lebanon, Sheridan of Berlin and Pickett of Keene and Mrs. Neale of Hanover offered the following resolutions:

Whereas prior legislatures have seen fit to enact emergency legislation for the assessment and collection of a special head

tax of five dollars upon each and every resident of this state for state purposes, and

Whereas said tax is inequitable to the people of this state and discriminates against the towns and cities of this state,

Now therefore be it resolved that the members of the house of representatives oppose the enactment of a head tax as being inequitable, discriminatory and not justifiable.

The Chair referred the resolutions to the Ways and Means committee.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

On motion of Mrs. Cross of Portsmouth the House adjourned at 12:13 o'clock.

WEDNESDAY, JANUARY 18, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

O God, in this time of world crises we are particularly concerned that every effort of good statesmanship be conducted on behalf of a just peace. In this same spirit we remember that this is the 179th birthday of that great statesman, our own Daniel Webster, born in Salisbury.

May those gathered here, while laboring in lesser affairs of state, labor fully as skillfully and as courageously, and may this gift be added to the administration of both our New Hampshire and federal government.

Amen.

Pledge of Allegiance to the Flag

Mr. Bouley of Nashua led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. Hackett of Epping was granted leave of absence for the week on account of illness.

Mr. McCullough of Keene was granted leave of absence for the week on account of a death in his family.

Introduction of Bills

The following bills were severally introduced, read a first and second time, and referred as follows:

By Mr. Hunter of Hampton, House Bill No. 65, An act relative to checklists for co-operative school districts. To the Committee on Education.

By Mr. Cushman of Orford, House Bill No. 66, An act relative to fish and game licenses for certain nonresident property owners. To the Committee on Fish and Game.

By Mr. Morse of Enfield, House Bill No. 67, An act relative to taking beaver by the use of traps. To the Committee on Fish and Game.

By Mr. Morse of Enfield, House Bill No. 68, An act relative to open season for taking fisher by the use of traps only. To the Committee on Fish and Game.

By Mr. Converse of Pittsburg, House Bill No. 69, An act relative to open season for the taking of beaver. To the Committee on Fish and Game.

By Mr. Littlehale of Durham, House Bill No. 70, An act providing for the training of fire fighters. To the Committee on Executive Departments and Administration.

By Mr. Sawyer of Winchester, House Bill No. 71, An act providing for a bounty on wolves. To the Committee on Fish and Game.

Mr. Burrill of Littleton moved that the order whereby House Bill No. 58, An Act establishing a division of records

management and archives, was referred to the Judiciary committee, be vacated and that the bill be referred to the committee on Executive Departments and Administration.

At the request of Mr. Pillsbury of Manchester, Mr. Burrill explained the reason for his motion.

On a *viva voce* vote the motion was adopted.

Mr. Clement of Rochester moved that the Rules of the House be amended as follows:

Amend the index by striking out all after "57 Expenditures" and inserting in place thereof the following new title:

58. Speaker may call bills from committee.

Amend the first paragraph of Rule 35 as it appears on pages 14 and 15 of the Journal of the House for Wednesday, January 4, 1961, by striking out the words "General Appropriations" in the fifth line and inserting after the word "Agriculture" in the third line the word, Appropriations, so that said paragraph as amended shall read as follows:

35. The following standing policy committees, to consist of twenty-one members each, shall be appointed at the commencement of any session: Committees on Agriculture; Appropriations; Aviation; Banks; Education; Executive Departments and Administration; Finance; Fish and Game; Insurance; Judiciary; Labor; Liquor Laws; Military and Veterans' Affairs; Municipal and County Government; Resources, Recreation and Development; Public Health; Public Works; Public Welfare and State Institutions; Transportation; and Ways and Means.

Further amend Rule 35 by striking out the paragraph appearing in lines 12 through 18 inclusive on page 15 of the Journal of the House for Wednesday, January 4, 1961, and inserting after the third paragraph of said rules the following new paragraph:

It shall be the duty of the committee on Appropriations to examine and determine the anticipated revenues of the state from all sources; to examine and determine the state of the general and unrestricted funds of the treasury; to consider the budget and all other measures carrying appropriations primarily from the general funds; to consider every subject concerning the general financial interests of the state; after receiving a

report from the committee on Finance to consider the budgets of state departments or agencies operating primarily as self-sustaining or on restricted revenues insofar as said budgets affect the general funds of the state; to assume the ultimate responsibility for keeping the state budget in balance; and to consider such other matters as may be referred to it. The biennial budget bills shall be referred to the committee on Appropriations and to the committee on Finance jointly, each committee to consider separately such departmental or agency budgets or parts of budgets as it is the duty of each respective committee to consider under the rules. It shall be the duty of the committee on Appropriations to report the biennial budget bills to the House, incorporating in such reports, the reports to it of the committee on Finance on such departmental or agency budgets or parts of budgets as it is the duty of the committee on Finance to consider under the rules.

Further amend Rule 35 by striking out the paragraph appearing in lines 22 through 29 inclusive on page 15 of the Journal of the House for Wednesday, January 4, 1961, and inserting in place thereof the following new paragraph:

It shall be the duty of the committee on Finance to examine and take into consideration the state of the restricted funds of the state; to consider the budgets of state departments or agencies operating primarily as self-sustaining or on restricted revenues, and to report its recommendations thereon to the committee on Appropriations for incorporation in the budget; to consider all other measures carrying appropriations from restricted revenues; to consider and report to the House on all claims against the state whether chargeable against general or restricted revenues; and to consider such other matters as may be referred to it.

Amend Rule 49 as it appears on page 16 of the Journal of the House for Wednesday, January 4, 1961, by striking out the same and inserting in place thereof the following:

49. All bills and joint resolutions appropriating state money, reported from any committee, shall be referred to the committee on Appropriations or to the committee on Finance, as the case may be, for revision. If any such bills or joint resolutions have been referred jointly to either of such fiscal committees and another standing committee, such fiscal committees may report separately but without holding a separate and addi-

tional public hearing. Excepting for claims against the state, all bills and joint resolutions reported to the House by the Committee on Finance, either separately or jointly with another standing committee, which, in the form of a report is adopted by the House on second reading, substantially affect the general funds of the state, shall be referred to the committee on Appropriations for revision insofar as the general funds of the state are affected.

Amend Rule 56 as it appears on page 16 of the Journal of the House for Wednesday, January 4, 1961, by striking out the word "General" in the sixth line so that said rule as amended shall read as follows:

56. The elective and appointive non-member officers and attaches of the House shall be under the direction of the Speaker, who shall define the duties not fixed by statute or otherwise ordered by the House. Their compensation, when not fixed by statute or otherwise ordered by the House, shall be determined by the Committee on Appropriations.

Amend Rule 57 as it appears on page 16 of the Journal of the House for Wednesday, January 4, 1961, by striking out the word "General" in the fifth line so that said rule as amended shall read as follows:

57. No officer or attache of the House during the session or any adjournment thereof shall purchase or contract for the purchase, pay or promise to pay any sum of money on behalf of the House or issue any requisition or manifest without first securing the approval in writing of the Appropriations Committee or such member or subcommittee of the same said committee may designate for the purpose.

Further amend said rules by adding at the end thereof the following new rule:

Expediting Business

58. Whenever any bill or joint resolution shall have been in the possession of the standing committee to which it was referred for more than fifteen legislative days, not counting for the purposes of this rule any legislative days prior to the distribution of printed copies of such measure, without the same having been reported, the speaker may, at any time after the

first Tuesday of March of a biennial session, revoke the reference of such measure to committee and place such bill or joint resolution before the House for action, upon giving a notice of three legislative days in the calendar of the House Journal. A committee report filed on or before the expiration of such three-day notice period shall take precedence over the order of the Speaker. The clerk shall keep an accurate record of the date of distribution of printed copies of each bill and joint resolution and shall notify the Speaker whenever the foregoing time limit has been exceeded.

Mr. Clement of Rochester spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Resolutions

Mr. Chandler of Bartlett offered the following resolution:

Resolved That the Speaker be authorized to appoint a committee of three to screen all literature and other publications which private organizations and others desire to have distributed to members in their seats.

On a *viva voce* vote the resolution was adopted.

The Chair appointed as member of such committee, Mrs. Kimball of Jefferson and Messrs. Plumer of Bristol and Sheridan of Berlin.

The following Democratic members of the House,

Joseph F. Ecker	Ralph W. Boisvert
William H. Craig, Jr.	Paul Bouthillier
John F. Kearns	Agenor Belcourt
Eugene S. Daniell	Alfred J. Dumas
Genevieve S. Neale	John W. King
Mary E. Demers	G. H. Belanger
George M. McGee, Sr.	George Hurley
Romeo Desilets	Claude E. Dupont
Rolland Chapdelaine	Denis F. Casey
Edward C. Healy	Laurence M. Pickett
William A. Cote	Emmet J. Flanagan
Beatrice Cary	Eugene Delisle, Sr.
James F. Hayes	William J. Cullity
John Twardus	Clovis J. Cormier

Cornelius M. Brosnahan
Rebecca M. Gagnon
Meda L. Kinghorn
Paul Normandin
George S. Pappagianis
Edward J. Walsh
Carmen F. D'Amante
Thomas E. Manning
George E. Bruton
Arthur A. Bouchard
Alton G. Desnoyer
Frank Sheridan
Angeline M. St.Pierre

Alfred A. Bergeron
Thomas F. Nolan
Ernest R. Coutermarsh
Sarkis Maloomian
Roger Crowley
Everett T. LaFrance
Herbert P. Linehan
Daniel Healy
Frank Sablusk
Edward D. Clancy
William Keefe
F. Albert Sewall

introduced the following resolutions:

Whereas the great state of New Hampshire has always been quick to recognize greatness in principle, purpose and person, and

Whereas, our nation has elected to its highest office a young man dedicated to the mountainous task of preserving the peace of the world in justice according to democratic ideals through strength at home and statesmanship abroad; and

Whereas, we as one of the first states of these United States, have demonstrated our unfaltering belief in such ideals of freedom and democracy,

Now therefore be it resolved, that we, the representatives of the people of New Hampshire, on the eve of his inauguration as President of the United States, offer our congratulations, best wishes and prayers to President-elect John F. Kennedy, and express our confidence that under his leadership our country and our world will flourish in freedom and peace.

Mr. Goode of Manchester spoke in favor of the resolutions.

On a rising vote the resolutions were unanimously adopted.

Mr. Varney of Rochester introduced the following resolutions for the Rochester Delegation:

Whereas, the Graniteers Drum and Bugle Corps of Rochester, New Hampshire has been selected to go to Washington, D. C. to participate in the Inaugural ceremonies for our new President, and

Whereas, this corps was organized and is operating in co-operation with the Rochester Recreation Department and has won many titles in parade contests, and

Whereas, the appearance of this drum and bugle corps in Washington will, we are sure, bring credit and honor to the state and to the city of Rochester therefor be it

Resolved, that the House of Representatives of the General Court of the State of New Hampshire hereby extends congratulations to the Graniteers Drum and Bugle Corps and commends them on the fine work they are doing and will do and also extends congratulations to Raymond Turmelle, the Corps Director, and to Bert George, Recreational Director for the city of Rochester, for the fine work they have done for the youth of Rochester, and be it

Further Resolved, That the clerk of the House transmit a copy of these Resolutions to said Raymond Turmelle and Bert George of Rochester, New Hampshire.

On a *viva voce* vote the resolutions were adopted.

Mr. Bennett of Keene offered the following resolutions:

Whereas, Mrs. Marion McCullough, wife of Representative McCullough of Keene, has passed away, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby extend our deepest sympathy to our Fellow Member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative McCullough a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Bradley of Thornton offered the following resolutions:

Whereas, we have learned of the death of Albert D. Merrill a former fellow representative from Thornton, and

Whereas, Mr. Merrill served his town in many capacities always with the welfare of the community and the state at heart, therefore be it

Resolved, that we, the members of the New Hampshire House of Representatives in General Court convened, do hereby extend our sympathy to his family, and be it further

Resolved, that a copy of these resolutions be transmitted to his son, Fred Merrill at Thornton.

On a *viva voce* vote the resolutions were unanimously adopted.

Senate Message

The Senate has passed the following concurrent resolutions, in the passage of which it asks the concurrence of the House of Representatives:

Whereas, John F. Kennedy has faithfully discharged his duties as a United States Congressman and United States Senator from the Commonwealth of Massachusetts and

Whereas, Mr. Kennedy has faithfully and honorably served his country as a member of the Armed Forces, and

Whereas, he has been duly elected President of these United States, therefore be it

Resolved: By the Senate, the House concurring, that we, the members of the New Hampshire General Court wish President Kennedy the best of health, happiness and success in the coming years and be it

Further Resolved: That the Secretary of State be instructed to transmit a copy of this resolution to President John F. Kennedy.

On a rising vote the concurrent resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

On motion of Mrs. White of Portsmouth, Ward 4 the House adjourned at 11:36 o'clock.

THURSDAY, JANUARY 19, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain Reverend Louis E. Watson, Brentwood Baptist church as follows:

Almighty God, our Father, Creator and ruler of the universe: we approach the throne of Grace, through prayer, acknowledging the favor which comes through and by Thy hands.

We would beseech Thee to bestow Thy blessing on our Great nation, that it might be preserved in the traditions, and the convictions of our fathers, that it might remain free, and just and patriotic.

To that end we would pray further that the representatives of this state, met here today, may be governed by a spirit of wisdom and courage; that they may be so continually guided by Thy will, Our Heavenly Father, that whatsoever they do here may meet with Thy approval, and may be a pattern and an inspiration to other State assemblies in their deliberations.

Amen.

Pledge of Allegiance to the Flag

Mrs. Vey of Brentwood led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of a Guest

The Chair introduced Mrs. Green, wife of Acting Governor, Samuel Green, as guest of the House today, courtesy of the Speaker.

Leaves of Absence

Mr. Hackett of Epping was granted leave of absence for the day on account of a death in the family.

Miss Clark of Lee and Messrs. Gove of Concord, Soucy of Manchester and Coutermarsh of Lebanon were granted leave of absence for the day on account of important business.

The following bills were severally introduced, read a first and second time, and referred as follows:

By Mr. Fox of Wakefield, House Bill No. 72, An act relative to folding and depositing ballots at elections. To the Committee on Municipal and County Government.

By Mr. Keating of Keene, House Bill No. 73, An act relative to mileage allowance for members of the general court. To the Committee on Executive Departments and Administration.

The Chair declared a short recess, during which time, Mr. Pickett of Keene explained use of the microphone to the new members.

After Recess

Mr. Pillsbury of Manchester moved that the rules of the House be so far suspended as to permit the introduction of a committee report not sufficiently advertised in the Journal and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Committee Report

Mr. Normandin of Laconia for the Committee on Elections to whom was referred Resignation of Phoebe Downing Powers of Ellsworth as a Member of the House of Representatives, having considered the same, report the same with the recommendation that the resignation be accepted.

On a *viva voce* vote the resignation was accepted.

Resolutions

Mr. Hunter of Hampton offered the following resolutions on behalf of the Rockingham County Delegation:

Whereas, Mrs. Gertrude E. Hackett, wife of John D. Hackett, Representative from Epping, has passed away, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby

express our deep sympathy to our Fellow Member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative Hackett a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

Senate Message

The Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 5, An Act relative to state and town bridge aid.

Senate Bill No. 5 was read a first and second time and referred to the committee on Public Works.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time and that when the House adjourns today it be in honor of Mr. Geisel of Manchester, and to meet at 11:00 o'clock on Tuesday next.

Afternoon Session

On motion of Mrs. White of Portsmouth, Ward 5, the House adjourned at 11:47 o'clock.

TUESDAY, JANUARY 24, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

Creative Spirit, we pray that Thou wilt make Thy presence felt this day in the labors of all on whom has been placed a public trust. So enter the hearts and minds of our Governor

and the members of our General Court that what is routine may be to them a challenge to exercise vision, that what is difficult to resolve may be to them a bidding of integrity, that what is unusual or not customary may be employed if it lends itself to public service.

Let each of us labor this day in such a way that at the day's close we shall have brought credit to ourselves and honor to our work.

Amen.

Pledge of Allegiance to the Flag

Mrs. Lord of Gilford led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. Sabluski of Nashua was granted leave of absence for the week on account of illness.

Mr. Welch of Concord was granted an indefinite leave of absence on account of illness.

Mr. Wildey of Westmoreland was granted leave of absence for the week on account of a death in the family.

Mrs. Weeks of Greenland and Mr. Gilbert of Bath were granted leave of absence for the day on account of a death in the family.

Mr. Asby of Canterbury was granted leave of absence for the week on account of important business.

Mr. Newell of Hopkinton and Mr. Blake of Madison were granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills and House Joint Resolutions were severally introduced, read a first and second time, laid on the table for printing and referred as follows:

By Mr. Merrifield of Sunapee and Mr. Spaulding of Plainfield, House Bill No. 74, An act providing for the election of

county commissioners for the county districts of Sullivan county. To the Sullivan County Delegation.

By Mr. Fortier of Berlin, House Bill No. 75, An act providing a retirement system for employees of the city of Berlin. To the Berlin Delegation.

By Mrs. Berry of Barrington, House Bill No. 76, An act providing for transportation aid to school districts. To the Committee on Education.

By Mrs. Neale of Hanover, House Bill No. 77, An act relative to homicide and offenses against person. To the Committee on Judiciary.

By Mr. Gove of Concord (Ward 7) House Bill No. 78, An act to provide a penalty for obtaining telecommunications service fraudulently. To the Committee on Judiciary.

By Messrs. Magoon of Salem, Peever of Salem and Stearns of Hinsdale, House Bill No. 79, An act relative to pari mutuel pools at horse races. To the Committee on Ways and Means.

By Mr. Paquette of Ashland, House Bill No. 80, An act relative to fees and bonds for fish and game agents and eliminating the so-called stamp for fish and game licenses. To the Committee on Fish and Game.

By Mr. Galloway of Walpole, House Bill No. 81, An act extending the provisions of law relative to an accelerated highway and construction and improvement program. To the Committee on Finance.

By Mr. Rice of Peterborough, House Bill No. 82, An act giving injunctive relief for violators of water pollution commission orders. To the Committee on Resources, Recreation and Development.

By Mr. Rufo of Concord, House Bill No. 83, An act relative to the salary of the justice of the Concord municipal court. To the Concord Delegation.

By Mr. Rufo of Concord, House Bill No. 84, An act relative to the salary of the special justice of the Concord municipal court. To the Concord Delegation.

By Mr. Rice of Peterborough, House Bill No. 85, An act making counties eligible for state aid for water pollution control. To the Committee on Resources, Recreation and Development.

By Mr. Rice of Peterborough, House Bill No. 86, An act increasing the state guarantee of municipal bonds issued for

water pollution projects. To the Committee on Resources, Recreation and Development.

By Mr. Hill of Conway, House Bill No. 87, An act relative to taxation of house trailers. To the Committee on Municipal and County Government.

By Mr. MacIsaac of Laconia, House Bill No. 88, An act relative to assistant superintendents. To the Committee on Education.

By Mr. Urie of New Hampton, House Bill No. 89, An act relative to the standards for classification of surface waters of the state. To the Committee on Resources, Recreation and Development.

By Mr. Cushman of Orford, House Bill No. 90, An act providing for the publication of the Commercial Code and the reprinting of volume 3 of the Revised Statutes Annotated. To the Committee on Appropriations.

By Mr. Cushman of Orford, House Bill No. 91, An act providing for reprinting volume 2 of the Revised Statutes Annotated. To the Committee on Appropriations.

By Mr. Cushman of Orford, House Bill No. 92, An act to provide for cumulative pocket supplements for Revised Statutes Annotated. To the Committee on Appropriations.

By Mr. Willey of Campton, House Bill No. 93, An act to establish within the office of the attorney general a division of subversive investigation. To the Committee on Judiciary.

By Mr. Normandin of Laconia, House Bill No. 94, An act relative to violations of hunting laws by minors under eighteen years of age. To the Committee on Judiciary.

By Messrs. Bragg of Lancaster and Deans of Milford, House Bill No. 95, An act relative to emergency admissions to state hospital. To the Committee on Public Health.

By Messrs. Bragg of Lancaster and Deans of Milford, House Bill No. 96, An act relative to commitment of the mentally ill. To the Committee on Public Health.

By Mr. Goode of Manchester, House Bill No. 97, An act providing for the assessment and collection of a special head tax for state purposes. To the Committee on Ways and Means.

By Mr. Kimball of Derry, House Bill No. 98, An act relating to the definition of unprotected birds. To the Committee on Fish and Game.

By Mr. Plumer of Bristol, House Bill No. 99, An act relative to the repeal of the school per capita tax. To the Committee on Education.

By Mr. Plumer of Bristol, House Bill No. 100, An act relative to education of children placed in homes for children. To the Committee on Education.

By Mrs. Cross of Portsmouth and Mrs. White of Portsmouth (Ward 5) House Bill No. 101, An act to amend the charter of the city of Portsmouth. To the Portsmouth Delegation.

By Mrs. Frizzell of Charlestown, House Bill No. 102, An act relative to the sale of bottled alcoholic beverages. To the Committee on Liquor.

By Mr. Bragg of Lancaster, House Bill No. 103, An act naming The Walter Swett Memorial Drive. To the Committee on Public Works.

By Mr. Spalding of Plainfield, House Bill No. 104, An act relative to a bridge in Plainfield. To the Committee on Public Works.

By Mr. Williamson, House Bill No. 105, An act making town meeting day a legal holiday. To the Committee on Judiciary.

By Mr. Rice of Peterborough, House Joint Resolution No. 7, Joint Resolution to provide increased funds for geologic surveying. To the Committee on Resources, Recreation and Development.

By Mr. O'Shan of Laconia, House Joint Resolution No. 8, Joint Resolution in favor of the New Hampshire Veterans Association. To the Committee on Appropriations.

By Mrs. Frizzell of Charlestown, House Joint Resolution No. 9, Joint Resolution providing an appropriation toward reconstruction of Fort at Number Four. To the Committee on Appropriations.

Committee Reports

Mr. Karkevelas of Dover for the Committee on Appropriations to whom was referred House Joint Resolution No. 6, a Joint Resolution for appropriation for carrying out provisions relative to regional agreements for educational facilities for New Hampshire residents.

Having considered the same, report the same with the following amendment, and the recommendation that the Joint Resolution as amended ought to pass.

Amend said joint resolution by striking out the words "and council" in the eleventh and twelfth lines so that said joint resolution as amended shall read as follows:

That there are hereby appropriated the sum of fifty thousand dollars for the fiscal year ending June 30, 1962, and a like sum for the fiscal year ending June 30, 1963, for the purpose of carrying out the provisions providing for extension of educational facilities for New Hampshire residents under regional agreements as executed and approved by the New England Board of Higher Education under the provisions of RSA 200-A (supp) as inserted by 1955, 232, and amended by 1959, 214:1. The New Hampshire members of the New England Board of Higher Education shall constitute a committee to administer and recommend the expenditure of these appropriations with regard to the number of students for which assistance shall be given and the amount of assistance to each student, subject to the approval of the governor. The sums hereby appropriated shall be a continuing appropriation and shall not lapse. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted and the Clerk read the amendment in full.

Mr. Karkevelas of Dover spoke in favor of the amendment.

(discussion ensued)

Mr. Pillsbury of Manchester spoke in explanation of the bill.

Mr. Clement of Rochester spoke in favor of the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Elections to whom was referred the Petition of Elmer Hunt praying for a seat in the House of Representatives, having considered the same, report the same with the recommendation that the Petition be rejected.

Mr. Beard of Lebanon moved that the petition be referred to the Judiciary Committee and spoke in favor of the motion.

Mr. Plumer of Bristol spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

On a *viva voce* vote the Chair was in doubt and called for a division.

A division vote being had and 142 members having voted in the affirmative and 212 members in the negative, the motion was lost.

The question now being on the report of the committee.

On a *viva voce* vote the report was accepted.

Mr. Hill of Littleton for the Committee on Executive Departments and Administration to whom was referred House Bill No. 11, An Act relative to names of business corporations, having considered the same, report the same with the recommendation that the bill ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Senate Message

The Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill 2, An Act relating to incompatible town offices.

Introduction of a Senate Bill

Senate Bill No. 2, An Act relating to incompatible town offices, was read a first and second time and referred to the committee on Municipal and County Government.

Concurrent Resolution

Mrs. Brown of Sandwich and Mr. O'Neil of Chesterfield offered the following concurrent resolution:

Whereas, the State of New Hampshire has been the beneficiary of extensive services of the land-grant institution, the University of New Hampshire, and

Whereas, the House recently passed a Concurrent Resolution that the New Hampshire General Court join in statewide observance of the 100th anniversary of the signing of the Land-Grant Act by President Abraham Lincoln, therefore be it

Resolved by the House of Representatives, the Senate concurring, that Eldon L. Johnson, President of the University of New Hampshire, be invited to address the House and Senate in Joint Convention on Tuesday, February 14, 1961.

On a *viva voce* vote the concurrent resolution was adopted.

Resolutions

Mr. Shepard of Londonderry offered the following resolutions:

Whereas, Edward C. Batchelder, father of Mrs. Edna B. Weeks, Representative from Greenland, has passed away, therefore be it

Resolved, That we, the Members of the House of Representatives of the New Hampshire General Court, extend to our Fellow Member our deep sympathy in her bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative Weeks a copy of these Resolutions.

On a *viva voce* vote the resolutions were adopted.

Messrs. Gallagher, Provencher and Claveau of Hudson offered the following resolutions:

Whereas, J. Amedee Paul of Hudson has passed away, and

Whereas, Mr. Paul was a former Representative from Hudson and participated in several other activities such as local town offices, Nashua musical circles, Greenfield Boys Club and Crotched Mountain affairs, therefore be it

Resolved, That we, the Members of the House of Representatives of the New Hampshire General Court, pay tribute to him for his services to his town, state and various communities, and extend our sympathy to his widow in her bereavement, and be it further

Resolved, That the Clerk of the House transmit to Mrs. Paul a copy of these Resolutions.

On a *viva voce* vote the resolutions were adopted.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only and third reading of Joint Resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Announcement

The Chair announced that today is the 69th birthday of Kenneth Bell of Plymouth.

Afternoon Session

Third Readings

The following House Bill and House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence:

House Bill No. 11, An Act relative to names of business corporations.

House Joint Resolution No. 6, Joint resolution for an appropriation for carrying out provisions relative to regional agreements for educational facilities for New Hampshire residents.

On motion of Mrs. Brown of Sandwich the House adjourned at 12:06 o'clock.

WEDNESDAY, JANUARY 25, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend Roland Ellsworth Morin of the First Unitarian Society, Laconia, New Hampshire as follows:

O Thou Spirit of Truth and Righteousness, we are gathered in these halls to do the will of the people of this state and to provide such guidance as may be for the common good. We ask thy guidance as we turn to this important task. We ask for that wisdom which will enable us to make wise decisions in the exercise of our duties. We ask for humility, so that our own egos may not block our judgment in making right decisions. We ask for the courage to assert the promptings of our own integrity, whatever the cost and to let us apply ourselves to those tasks assigned and entrusted to us by the citizens of New Hampshire.

Amen.

Pledge of Allegiance to the Flag

Mr. Locke of New Boston led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following as guests of the House today:

A group of 11th and 12th grade pupils from New Boston High School, courtesy of Mr. Locke of New Boston.

A group of Girl Scouts from Troup 1 and 3, Salem, New Hampshire, courtesy of the Salem Delegation.

Leaves of Absence

Mr. Purington of Exeter was granted leave of absence for the day on account of illness.

Messrs. Geisel of Manchester and Casassa of Hampton were granted leave of absence for the day on account of important business.

Messrs. Ballam of Walpole, Deans of Milford and Mrs. Clark of Lee were granted leave of absence for today and tomorrow on account of important business.

Reconsideration

Mr. Taft of Greenville, having voted with the majority, served notice that today or some subsequent day he would request the House to reconsider its vote whereby it rejected the petition of Mr. Hunt of Salisbury.

Mr. Chandler of Bartlett moved that the order whereby HB 99, relative to the repeal of the school per capita tax, was referred to the committee on Education be vacated and that the bill be referred to the committee on Ways and Means, and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

First & Second Reading of House Bills

HB 106, relative to frozen desserts (Downing of Newport) to Public Health.

HB 107, relative to certain retired teachers in the city of Manchester (Healy of Manchester) to Manchester Delegation.

HB 108, relative to the town of Hampton Municipal Development Authority (Hunter of Hampton) to Executive Departments and Administration.

HJR 10, relative to control of the Dutch elm disease (Rice of Peterborough and Pickett of Keene) to Resources, Recreation and Development.

Committee Reports

Mr. Fortier of Berlin for the Committee on Public Works, HB 12, relative to regulations for use of limited access highways. Ought to pass.

Mr. Galloway of Walpole explained the bill.

(discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Keefe of Portsmouth for the Committee on Public Works, HB 13, relative to classification of turnpikes and interstate highways. Ought to pass.

Mr. Galloway of Walpole explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Dame of Portsmouth for the Committee on Public Works, HB 18, relating to reports of the commissioner of public works and highways. Ought to pass.

Mr. Galloway of Walpole explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Willey of Campton for the Committee on Public Works, HB 20, relative to classification of a road in Chatham. Having considered the same, report the same with the following Resolution:

Resolved, That it is inexpedient to legislate.

Mr. Plumer of Bristol explained the action of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Newell of Hopkinton for the Committee on Public Works, HB 25, relative to expenditure of revenue from turnpikes. Ought to pass.

Mr. Newell of Hopkinton explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. McGee of Lincoln for the Committee on Public Works, HB 26, relative to auxiliary service roads and their classification. Ought to pass.

Mr. Plumer of Bristol explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Senate Message

The Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 15, in Relation to Hillsboro Guaranty Savings Bank.

Introduction, First and Second Reading of a Senate Bill

SB 15, to the committee on Banks.

Reconsideration

Mr. Stevenson of Bethlehem asked for reconsideration of the rejection of the petition by Elmer Hunt of Salisbury and spoke in favor of the motion.

(discussion ensued)

Messrs. Kearns and Pillsbury of Manchester spoke against the motion.

Mrs. DeLude of Unity and Mr. Pickett of Keene spoke in favor of the motion.

Mr. Stevenson spoke a second time in favor of the motion.

Mr. Pickett of Keene requested a division.

120 members having voted in the affirmative and 228 in the negative the motion to reconsider was lost.

Resolutions

Miss Collyer of Lisbon offered the following resolutions:

Whereas, Mrs. Mary Alice Gilbert, widow of Archie Gilbert and mother of Arthur H. Gilbert, Sr., Representative from Bath, has passed away, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our deep sympathy in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative Gilbert a copy of these Resolutions.

On a *viva voce* vote the resolutions were adopted.

Committee Changes

Mr. LeDoux of Carroll to Liquor Laws.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00

o'clock to be in order at the present time, that all bills be read by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Reading of Bills

The following entitled bills were read a third time, passed, and sent to the Senate for concurrence:

HB 12, relative to regulations for use of limited access highways.

HB 13, relative to classification of turnpikes and interstate highways.

HB 18, relating to reports of the commissioner of public works and highways.

HB 25, relative to expenditure of revenue from turnpikes.

HB 26, relative to auxiliary service roads and their classifications.

On motion of Mrs. Roulston of Salem the House adjourned at 12:06 o'clock.

THURSDAY, JANUARY 26, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

We pause, O God, to recognize the strength and guidance Thou dost avail to men and women who trust Thee, and who seek Thy light to shine before their steps. Our years of life are few and quickly spent. Our strength and wisdom are limited. Yet, because we know we scarcely ever draw fully on the resources with which Thou hast endowed us, we now reaffirm our commitment to the high tasks that await us.

Amen.

Pledge of Allegiance to the Flag

Mr. Kimball of Derry led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of Pinkerton Academy students as guests of the Derry Delegation.

Leaves of Absence

Messrs. Purington of Exeter and Stonemetz of Dover were granted leave of absence for the day on account of illness.

Mr. Soucy of Manchester was granted leave of absence for the day on account of important business.

First & Second Reading of a House Joint Resolution

HJR 11, providing for a study of salaries for unclassified positions in state service, (Clement of Rochester) Appropriations.

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to dispense with the printing of HJR 11 and that the HJR be placed on third reading and final passage at the present time.

Mr. Clement of Rochester spoke in favor of the motion.

(discussion ensued)

On a *viva voce* vote the motion was adopted.

Third Reading of a House Joint Resolution

HJR 11, providing for a study of salaries for unclassified positions in state service was read a third time and passed, and sent to the Senate for concurrence.

First and Second Reading of House Bills

HB 109, exempting residents over seventy years of age from fishing license requirements (Rosedoff of Nashua) to Fish and Game.

HB 110, increasing the salary of the Rockingham county attorney (Bowles of Portsmouth and Murch of Portsmouth) to Rockingham Delegation.

HB 111, legalizing a special meeting of the town of Swanze (Hackler of Swanze) to Municipal and County Government.

HB 112, to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission (MacIsaac of Laconia, Ward 6) to Ways and Means.

HB 113, relative to the operation of the Forest Hills Hotel in Franconia by the Trustees of the University of New Hampshire (Johnson of Franconia) to Executive Departments and Administration.

Concurrent Resolutions

Mr. Newell of Hopkinton offered the following concurrent resolutions:

Whereas, New Hampshire has spent substantial sums for the construction of Interstate Highways 93 and 89 in the vicinity of the Vermont border; and

Whereas, for purposes of self-aggrandizement, certain groups in the state of Vermont wish Interstate Highway 91 within the state of Vermont located farther from the New Hampshire-Vermont border than originally proposed; and

Whereas, such relocation would reduce substantially the benefits to be derived from the sums already spent by New Hampshire; and

Whereas, the future economic development of the Connecticut Valley depends heavily on retention of the location originally proposed for Interstate Highway 91 within the state of Vermont; and

Whereas, his Excellency, Governor Powell, and Commissioner Morton of the New Hampshire Department of Public Works and Highways have publicly denounced such proposed relocation of Interstate Highway 91, now therefore be it

Resolved, by the House of Representatives with the Senate concurring, That the General Court of The State of New

Hampshire is unalterably opposed to such proposed relocation of Interstate Highway 91 within the state of Vermont, be it further

Resolved, That the members of the New Hampshire delegation in the Congress of the United States be requested to oppose such proposed relocation of Interstate Highway 91, and be it further

Resolved, That the Secretary of State be instructed to forward copies of this Concurrent Resolution to the Commissioner of the Bureau of Public Roads of the United States, the Secretary of Commerce of the United States and to each of the members of the New Hampshire delegation in Congress.

The concurrent resolution was referred to the committee on Public Works.

Mr. Bragdon of Amherst offered the following concurrent resolution:

Whereas, February 3, 1961 will be the one hundred and fiftieth anniversary of the birth of Horace Greeley; and

Whereas, in 1911 the General Court voted to mark his birthplace in the town of Amherst by placing there a New Hampshire boulder suitably inscribed; and

Whereas, the United States Post Office Department will, on February 3rd next, issue a Horace Greeley stamp in the Famous American series; and

Whereas, this distinguished New Hampshire man was an outstanding leader in the journalistic and political progress of the nineteenth century; now therefore be it

Resolved, by the House of Representatives of the State of New Hampshire, the Senate concurring, that the General Court of New Hampshire proudly takes cognizance of the one hundred fiftieth anniversary of the birth of this famous native son; and be it further

Resolved, That copies of this resolution be distributed to the schools of this state by the New Hampshire Department of Education.

On a *viva voce* vote the concurrent resolution was adopted.

Miss Martin of Littleton offered the following concurrent resolution.

Whereas, The Profile in Franconia Notch, well-known to all New Hampshiremen as The Old Man of the Mountains, is a beloved and famous feature of our state, and

Whereas, the natural forces which created this Profile are forever working to effect its destruction, and

Whereas, the late Edward H. Geddes did recognize this danger to The Profile; and, through his investigations of it, did, by native ingenuity, devise methods to preserve its stability; and, by great physical endurance, carried on his back, despite his fifty years, the necessary tools and devices over miles of rough mountain terrain to the remote and precipitous site; and, with courage and skill, made installations at the risk of life and limb in the face of high altitude mountain conditions, and

Whereas, the engineering soundness and effectiveness of the devices which he installed on Profile Mountain in 1916 are today acknowledged by eminent geological engineers, who have ascertained that the ledges so secured have not moved measurably, therefore be it

Resolved that the General Court of New Hampshire does gratefully acknowledge, on behalf of the residents of this State and the untold millions who have been attracted to this natural phenomena, a debt of gratitude to Edward H. Geddes, and approves arrangements to have this acknowledgment made known by a suitable plaque to be installed in an appropriate place in Franconia Notch; and further recommends that a museum, to be known as the Edward H. Geddes Memorial Museum, be included in plans for the future State developments in this Notch for exhibits of the devices protecting The Profile and other scientific and historical aspects of the White Mountains, and be it further

Resolved that a committee, consisting of a member of the House of Representatives appointed by the Speaker, a member of the Honorable Senate appointed by the President, and a member of the Public at Large, be appointed by the Governor and instructed to make recommendations to the General Court at its 1961 session for a suitable plaque and the installation

thereof, together with a request for such funds as may be deemed necessary to accomplish this.

The concurrent resolution was referred to the Appropriations committee.

Committee Reports

Mr. Peterson of Peterborough for the Committee on Executive Departments and Administration, HB 22, relative to the state board of fire control. Ought to pass with amendment.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Takes Effect. This act shall take effect sixty days after passage.

The Clerk read the amendment in full.

Mr. King of Manchester spoke against the bill.

Mr. Peterson of Peterborough spoke in favor of the bill.
(discussion ensued)

Mr. Pillsbury of Manchester moved that HB 22 be referred to the Appropriations committee.

(discussion ensued)

Mr. Burrill of Littleton spoke against the motion.

(discussion ensued)

Messrs. Bowles of Portsmouth, Craig of Manchester and Goode of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and HB 22 was referred to the Appropriations committee.

Mr. Walsh of Manchester for the Committee on Banks, HB 59, relating to Amoskeag Savings Bank. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Peterson of Peterborough for the Committee on Executive Departments and Administration, HB 5, relative to reports of inquests by medical referees. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Peterson of Peterborough for the Committee on Executive Departments and Administration, HB 42, relative to

property holding by the Nashua Protestant Home for Aged Women. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 35, relative to damage to domestic livestock by hunters. Ought to pass with amendment.

Amend section I of the bill by striking out said section and inserting in place thereof the following:

1 Board for Assessment, Established. Amend RSA 426:13 by striking out said section and inserting in place thereof the following: 426:13 Damage by Hunters. The state shall compensate the owners for all domestic livestock killed or wounded by hunters in the open season for hunting in any county. A board consisting of the commissioner of agriculture, the director of fish and game and the deputy attorney general shall hear and determine all claims made hereunder and shall assess the amount of damages in each case found to be compensable. Said sum shall be a charge upon the fish and game fund. The decision of the board shall be final.

The Clerk read the amendment in full.

At the request of Mr. Pillsbury of Manchester, Mr. Converse of Pittsburg explained the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 39, providing for forfeiture of fish or wild animals illegally imported into this state. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 44, relative to forfeiture of fish and game not legally possessed. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Chandler of Bartlett moved that the rules of the House be so far suspended as to dispense with the printing of HB 111, legalizing a special meeting of the town of Swanzey.

The Clerk read the bill in full.

On a *viva voce* vote the motion was adopted.

Senate Message

The Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Concurrent Resolution

inviting Eldon L. Johnson, President of the State University to address the Legislature.

Resolutions

Mr. Wyatt of Strafford offered the following resolutions:

Whereas, Douglas MacArthur, General of the Armies, will be 81 years of age on Thursday, January 26, 1961, and

Whereas, General MacArthur has served with great distinction to himself and a credit to his country through his military career which includes service in World War II at Bataan and Corregidor and other places, and as military adviser to the Governor of the Philippines, and as the senior military officer on the active rolls of the armed forces of the United States, a post that ranks all other offices, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire of the 1961 session, pay tribute to the General who so ably and unselfishly served his country both in times of peace and war, a devoted husband and father who was named "Father of the Year" in 1942, and extend to him our congratulations on his birthday with our best wishes for many more years of health and happiness, and be it further

Resolved, That when the House adjourns today it be in honor of General MacArthur and that the Clerk of the House transmit to him a copy of these Resolutions.

On a *viva voce* vote the resolutions were adopted.

Mr. Pickett of Keene offered the following resolutions:

Resolved, That the Clerk of the House be requested to obtain information relative to the number of bills remaining to be drafted as of five o'clock on January 26, together with the names of the sponsors and the title and a brief description of the subject matter thereof.

Further Resolved, that the information so obtained shall be printed in the Journal of Feb. 14th.

On a *viva voce* vote the resolutions were adopted.

Mr. Murch of Portsmouth for the Portsmouth Delegation offered the following resolutions:

Whereas, Harry H. Foote, of Portsmouth, who served for several sessions in the legislature, both in the House of Representatives and in the Senate, has passed away, therefore be it

Resolved, that we, the members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his city and state and extend our deep sympathy to his family in its bereavement, and be it further

Resolved, that the Clerk of the House transmit to his widow, Mrs. Foote, a copy of these Resolutions.

On a *viva voce* vote the resolutions were adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday at 11:00 o'clock.

Unclassified Employees Committee

Mr. Haseltine of Merrimack

Mr. Vaughan of Newport

Mr. Coutermarsh of Lebanon

Afternoon Session

Third Reading of Bills

The following entitled bills were read a third time, passed, and sent to the Senate for concurrence:

HB 59, relating to Amoskeag Savings Bank.

HB 5, relative to reports of inquests by medical referees.

HB 42, relative to property holding by the Nashua Protestant Home for Aged Women.

HB 35, relative to damage to domestic livestock by hunters.

HB 39, providing for forfeiture of fish or wild animals illegally imported into this state.

HB 44, relative to forfeiture of fish and game not legally possessed.

On motion of Mrs. Blanchette of Dover the House adjourned in honor of General MacArthur at 12:13 o'clock.

TUESDAY, JANUARY 31, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

God of our fathers, we would be true to Thee. In the span of life allotted to us, we would rekindle the spirit of free men who were dedicated to responsible liberty, to justice for all peoples, to providing opportunity for all folk to exercise their initiative and enterprise.

Let not the quickened pace of life, the threats to democratic values, nor our love of things cause us to be unmindful of our hardwon birthrights. Let us today in this historic capital of our Granite State apply to our labors the yardstick of responsible public stewardship which in the past has brought honor to our State, and which today can bring yet greater honor to our people.

Amen.

Pledge of Allegiance to the Flag

Mr. Underhill of Nashua led the Convention in the Pledge of Allegiance to the Flag.

Governor's Message

Governor Wesley Powell appeared before the Joint Convention and delivered the following message:

The objectives of the recommendations I make to you today are as follows:

1. To establish within state government a responsible chain of command;
2. To combine and coordinate related state agencies and programs;
3. To achieve a higher degree of efficiency and effectiveness in the services of state government to the people;
4. To bring about sound economies in state government operations and to apply the dollars saved toward the expansion of essential programs.

No existing classified positions would be eliminated by my recommendations. All classified positions and persons would be transferred with the merged agencies and all rights under our classification system and laws related to personnel would be fully protected.

It is not my intention to discuss each merger in this message. I shall let the bills speak for themselves as they are introduced, beginning today with the bill which would establish a Department of Safety. It is my hope that the Legislative Counsel and I will have the pleasure of appearing before your committees to discuss in detail each provision of each bill, and we shall be available to the committees and individual members of the General Court upon your request.

Today I present to you the broad outline of the reorganization proposals. I am recommending that the following new departments be created.

1. The *Department of Safety* into which would be merged:
 - a. State Police
 - b. Motor Vehicle Department
 - c. State Fire Marshal
 - d. The Passenger Tramway Safety Board
 - e. The Supervision of Navigation and Boat Registrations and

- f. Registration functions of the Commission relating to motor carriers:

2. The *Department of Health and Welfare* into which would be merged:

- a. Department of Health
- b. Department of Public Welfare
- c. Glenclyff Sanatorium
- d. Division on Alcoholism
- e. Laconia State School
- f. State Hospital
- g. Mental Hygiene and Child Guidance Clinics
- h. Water Pollution Commission

Actually, this new department would be divided into three divisions. There would be a Division of Mental Health within which would be embraced only programs and institutions of state government related to mental health and, in addition, new mental health programming for which the \$100,000 supplemental appropriation I have mentioned to you previously would be utilized. There would be a separate division of health services and there would be a separate division of welfare.

3. The *Department of Resources and Economic Development* into which would be merged:

- a. Planning and Development Commission
- b. Forestry and Recreation Commission
- c. Fish and Game Commission
- d. Water Resources Board

4. A *Division of Boards and Commissions* under the Department of Administration and Control within which Division would be merged only the administrative functions of some sixteen regulatory boards and commissions. This proposal was rejected at the last session. It is recommended again because over and over again during the last two years a need for this action has been found not only by the Executive Department but by the activity of your Legislative Budget Assistant. Neither two years ago nor this year is it proposed to change the regulatory functions of these boards and commissions. The recommendation is based solely upon the present lack of good house-keeping and the absolute necessity for the executive branch to advise the Legislature of what needs be done in order that

these public functions can be better administered in the public interest.

5. It is recommended that whereas the Department of the Attorney General is the chief law enforcement agency of state government and bears primary responsibility for all criminal investigations, among other duties, a *Division of Criminal Investigation* be created within that department with accompanying statutory authority for the Attorney General to conduct the work of the Division with State Police personnel. It is also recommended that for administrative purposes and to grant clear statutory responsibility upon the chief law enforcement office of the state for the same, the State Prison, Industrial School, and Probation Board be merged into this division.

6. It is recommended that the Civil Defense Agency be merged into the Department of the Adjutant General.

7. It is recommended that there be created in the Department of the State Treasurer a *Division of Retirement Services* which for administrative purposes would embrace the OASI, Teachers, Employees, Police, and Firemen retirement systems.

Some of the bills to implement my recommendations call for the elimination of certain control Boards and Commissions. In some cases Advisory Commissions with more restricted authority would be created. This would be a part of the effort to establish a clear chain of command and to call upon all department heads to demonstrate their full capacity for responsibility. It is no secret that I consider that some boards and commissions now clutter the house of government and are more of a shield than a guide.

These recommendations are not drastic. It is not drastic to correct what is wrong. It is not drastic to promote efficiency in government. It is not drastic to promote economy in government through coordination and through setting up procedures which will lead to the elimination of duplication. It is not drastic to suggest that Governor and Council and heads of departments be made responsible in fact as well as in name. It is not drastic to suggest that we make a full effort to find within government the dollars necessary for proper growth of essential programs.

It is drastic, and unfair, and irresponsible to continue on a course the early end of which will be the burden of new forms of taxation upon the people.

The greater efficiency which can be a result of better coordinated government would be evident soon. The economies would be more gradual and the major portion realized when the Legislature meets again. The interim would provide opportunity for the new department heads to carefully survey overlapping programs and persons, and to formulate proper budget recommendations for the biennium 1964-65.

No one knows better than I do the pressures which are applied against change in government organization. No one knows any better than I do the charges which have to be tolerated by a leadership which dares to focus attention upon that which is wrong, and upon those who would rather see representative government deteriorate than yield an inch of their own departmental ground. Evans and Hoover recommendations gather dust while the public treasury gathers more and more taxes, and the public payroll gathers more and more persons.

Yet, no one knows any better than I do that the people are aware of what you and I are trying to do, and that they have given us their approval of the effort. I am not suggesting that they have placed their endorsement upon every detail of every merger bill. I do not mean that at all. I do mean that they have stopped to look and listen. I do mean they have given us their encouragement to improve the house of government.

You may be certain that ere the sun sets this day the rumor mill will be at work. However, it is my most respectful plea that each of you approach this vital issue with the same deep desire and high hope for better government that I am determined shall mark my own effort. I ask that you delay your judgment with regard to each bill until you have studied it and all the evidence is in. I ask further that if a majority of you oppose the merger of a specific agency, or oppose a particular detail of a bill, you delete the agency or the detail rather than deny the whole proposal.

My own conscience has dictated that I lay before you bills which show the whole pattern as my experience and chance to observe closely suggests it should be. Naturally, I hope for your

agreement, but, in any event, I am sure that through open discussion and by a spirit of good will we can begin the improvement so much needed.

We do not want reorganization for the sake of reorganization. We want constructive action towards a better state government and a better life for our people. I feel certain you share my desire to be able to say when our service here is done that we have left things better than we found them. Frankly, I also have the desire to help see to it that when another Governor is upon this wonderful scene the law will better equip him to meet the responsibilities the people think are now his.

In the consideration of the merger bills, may we together distinguish between criticism which is constructive and that which is prompted only by self-interest, or political considerations. I am personally prepared to discount political pressure and self-interest, but I am prepared also to yield a foot where to do so will yet gain us properly a yard toward the goal of better government.

On motion of Senator Gardner from District No. 6 the Convention rose.

House Leaves of Absence

Mr. Thompson of Effingham was granted leave of absence for the week on account of important business.

Mr. Deans of Milford was granted leave of absence for the day on account of important business.

Mr. Spollett of Chester was granted leave of absence for the day on account of a death in the family.

Mr. Haley of Manchester was granted leave of absence for the week on account of illness.

Mr. Carmen of Manchester was granted leave of absence for today and Wednesday on account of important business.

First & Second Reading of House Bills

HB 114, providing additional retirement allowances for certain retired teachers (Loizeau of Plymouth) to Appropriations.

HB 115, relative to non-forfeiture benefits and reserve valuations of life insurance policies and contracts (Varney of Rochester) to Insurance.

HB 116, relative to the duties of the board of chiropractic examiners (Dionne of Nashua) to Public Health.

HB 117, relative to taxation of annuity premiums (Bingham of Concord) to Insurance.

HB 118, relative to data processing systems (Bingham of Concord) to Insurance.

HB 119, relative to loans by credit union to its members (Hambleton of Goffstown) to Banks.

HB 120, providing for the classification of certain surface waters of the Piscataqua River watershed (Hislop of Newington and Weeks of Greenland) to Resources, Recreation and Development.

HB 121, relative to the relocation of water supplies required by construction of interstate highway system (Coutermarsh of Lebanon) to Resources, Recreation and Development.

HB 122, relating to the protection of public water supply sources (Coutermarsh of Lebanon) to Resources, Recreation and Development.

HB 123, to repeal the capital reserve fund for the public library annex in Nashua (Pappagianis of Nashua) to the Nashua Delegation.

HB 124, to establish a department of safety (Goode of Manchester and Chandler of Bartlett) to Executive Departments and Administration.

HB 125, relative to licensing of auctioneers (Rosedoff of Nashua) to Municipal and County Government.

HB 126, authorizing selectmen and city councils to lay out limited access highways (Crowley of Manchester) to Municipal and County Government.

HB 127, repealing minimum wage provisions for employees in public works (Bigelow of Warner) to Labor.

HB 128, establishing the unauthorized insurers false advertising process act (Hancock of Concord) to Insurance.

HB 129, relating to the installation of public telephones on streets and public ways (Ainley of Manchester) to Judiciary.

HB 130, relative to uniform season for taking deer (Willey of Campton, Brown of Sandwich, Brown of Loudon, Spalding of Plainfield, Berringer of Woodstock, Bradley of Thornton, LaMott of Haverhill and Rollins of Alton) to Fish and Game.

HB 131, relative to chemical test for intoxication (Pillsbury of Manchester) to Judiciary.

HB 132, changing the name of Crescent Island in Lake Winnepesaukee to Little Six Mile Island (Kurth of Tuftonboro) to Resources, Recreation and Development.

HB 133, relative to certain deposit accounts in savings banks (Newell of Concord) to Banks.

HB 134, reducing from seventy to sixty-eight the age at which licenses to fish and hunt may be issued to residents without payment of fee (Plourde of Pembroke) to Fish and Game.

HB 135, requiring county commissioners to obtain written authority from executive committee for appropriations transfers (Ayre of Laconia) to Municipal and County Government.

HB 136, relative to mileage rate for state employees using private cars (Angus of Claremont) to Appropriations.

HB 137, extending the time during which an act relative to a certain bridge over the Merrimack river shall be effective (Asby of Canterbury) to Public Works.

HB 138, relating to certificates and copies furnished by filing officer under Uniform Commercial Code and fees therefor (Stevenson of Bethlehem) to Judiciary.

HB 139, relating to presumption in alleged motor vehicle violations (Newell of Hopkinton) to Judiciary.

HB 140, to repeal the tax on savings deposits and substitute another form of taxation therefor (Newell of Concord) to Ways and Means.

HB 141, relating to jurisdiction of motor vehicle offense (Brooks of Stewartstown) to Judiciary.

HJR 12, providing for taking the sense of the legal voters of the state on the question of calling a constitutional convention (Collyer of Lisbon) to Judiciary.

Personal Privilege

Messrs Daniel of Franklin, Pillsbury of Manchester and Pickett of Keene rose on a point of personal privilege.

Committee Reports

Mr. Burrill of Littleton for the Committee on Executive Departments and Administration, HB 48, relative to skin-divers. Inexpedient to legislate.

On a *viva voce* vote the report was accepted.

Mr. Deans of Milford for the Committee on Municipal and County Government, HB 7, abolishing the school district of the town of Dorchester and transferring the education of children of said town to the state. Inexpedient to legislate.

On a *viva voce* vote the report was accepted.

Mr. Deming of Danville for the Committee on Public Health, HB 2, relative to eating places and for correction of references in statutes. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bragg of Lancaster for the Committee on Public Health, HB 3, relative to definition of adulteration of milk and milk products. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions, HB 53, relative to meetings of the inter-departmental committee on welfare and institutions. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Galloway of Walpole moved that the rules of the House be so far suspended as to dispense with the printing of the committee report on the Concurrent Resolution concerning Interstate Highway 91 in Vermont, as printed in the Journal, Thursday January 26 on page 5, and that the resolution be adopted at the present time, and spoke in favor of the motion.

(discussion ensued)

Mr. Angus of Claremont and Mr. Newell of Hopkinton spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and the concurrent resolution was sent to the Senate for concurrence.

Report of Committee on Engrossed Bills

Mr. Shepard of Londonderry for the Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Joint Resolution: HJR 11, providing for a study of unclassified positions in state service.

Resolved by the Senate and House of Representatives in General Court convened:

There is hereby established a special committee of seven members to study the salaries for unclassified positions in state service. Said committee shall recommend to the general court, not later than April 4, 1961, such legislation as it may find is required to make said salaries just and equitable. The director of personnel shall be a member of this committee. The remaining members of this committee shall be appointed as follows: Three members of the house of representatives, appointed by the speaker, two members of the senate, appointed by the president, the remaining member of the committee to be appointed by the Governor. Said committee shall serve without compensation.

The report was accepted.

Qualified

Messrs. Dempsey of Franklin and Avery of Ellsworth, having qualified before His Excellency, Governor Wesley Powell, appeared during the session and took their seats as members of the House.

Senate Message

The Senate has voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives:

HJR 11, providing for a study of salaries for unclassified positions in state service.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Ratifying a proposed amendment to the Constitution
of the United States of America.

Whereas, both houses of the eighty-sixth Congress of the United States of America, by a constitutional majority of two-thirds thereof, have made the following proposition to amend the Constitution of the United States of America, in the following words, to wit:

“Joint Resolution

“Proposing an amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia.

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

“Article ———

“Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

“A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

“Section 2. The Congress shall have power to enforce this article by appropriate legislation.”

Therefore, be it resolved by the House of Representatives of the State of New Hampshire, the Senate concurring: That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the legislature of the State of New Hampshire.

That certified copies of this preamble and concurrent resolution be forwarded by His Excellency the Governor to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

The concurrent resolution was referred to the committee on Judiciary.

A further Senate message announced that

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 20, relative to liability for support in certain cases.

SB 22, relating to eminent domain proceedings by housing authorities.

Introduction, First and Second Reading of Senate Bills

SB 20, to the committee on Judiciary.

SB 22, to the committee on Judiciary.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Commemorating the one hundred fiftieth anniversary of the birth of Horace Greeley.

Resolutions

Miss Cole of Nashua offered the following resolutions for the Nashua Delegation:

Whereas, we have learned with regret the passing of Henry Cooper of Nashua, and

Whereas, Mr. Cooper was the husband of our Dean of Women Legislators, Mabel Thompson Cooper, therefore be it

Resolved, that we, the members of the 1961 House of Representatives in General Court assembled do hereby extend our sympathy to our fellow member in her bereavement and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mrs. Cooper.

On a *viva voce* vote the resolutions were unanimously adopted.

Mrs. Hayward of Hanover offered the following resolutions for the Hanover Delegation:

Whereas, we have learned of the passing of Professor Charles A. Holden of Hanover, who for many sessions was a member of this House of Representatives, and

Whereas, Professor Holden served his town and state efficiently and honorably now therefore be it

Resolved, that we pay tribute to his memory by standing in silent prayer at this time, and be it further

Resolved, that when the House adjourns today it does so to honor his memory and with deep sorrow, but ever remindful of his great contribution to his town and state.

On a standing vote and one minute of silent prayer, the resolutions were unanimously adopted.

Communications

The Family of the late Thomas Sullivan wishes to acknowledge with deep appreciation the Copy of the Resolutions of the House of Representatives in its tribute to his memory. To The Speaker, Members of the House and Attaches

I wish to express my sincere thanks and deep appreciation for the thoughtfulness and consideration which has been shown me during my recent bereavement in the loss of my wife.

James E. McCullough
Representative from Keene

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House

adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Reading of Bills

The following entitled bills were read a third time, passed, and sent to the Senate for concurrence:

HB 2, relative to eating places and for correction of references in statutes.

HB 3, relative to definition of adulteration of milk and milk products.

HB 53, relative to meetings of the inter-departmental committee on welfare and institutions.

On motion of Mrs. St. Pierre of Rochester the House adjourned at 12:29 o'clock in memory of Professor Charles Holden.

WEDNESDAY, FEBRUARY 1, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

O Eternal God, who hast placed in our keeping the values of love and concern, truth and devotion, cause us to remember that in the days given to us we labor not for ourselves alone or for our own generation, but in the interest of those who will someday stand in our places. May it be that we shall leave to our children and to their offspring a State that encourages their growth in freedom, that secures their privilege of free enterprise and that sets before them a way of public life in which justice and compassion are the fruits of our work today.

Amen.

Pledge of Allegiance to the Flag

Mr. Walsh of Manchester led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced three Venezuelan students, one from Panama, and one from the Dominican Republic, now attending New England College. These students were attending today as guests of Governor Powell.

Leaves of Absence

Mrs. Thompson of Northfield was granted leave of absence for the day on account of illness.

First and Second Reading of House Bills

HB 142, prohibiting hunting and the use of firearms in the town of New Castle (Jenkins of New Castle) to Fish and Game.

HB 143, relating to violation of boating laws by juveniles (Gibson of Concord) to Judiciary.

HB 144, in relation to Dartmouth College trustees (Low of Hanover) to Education.

HB 145, relative to purchases by the soldiers home (Clement of Rochester — Committee on Rules) to Appropriations.

HB 146, to amend the charter of the city of Keene (Bennett of Keene) to Keene Delegation.

HB 147, relative to the eligibility for release on parole at the expiration of the minimum term (Peever of Salem) to Judiciary.

HB 148, relative to classification of certain highways in the towns of Bedford and New Boston (Wiggin of Bedford) to Public Works.

HJR 13, authorizing a study of the operation of the milk control act (Robertson of Gilmanton) to Agriculture.

HJR 14, providing for a live wild animal display at Mt. Sunapee state park (Walsh of Manchester) to Resources, Recreation and Development.

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to dispense with the printing and reference to committee of HB 145, relative to purchases by the soldiers home, and that the bill be ordered to a third reading.

The Clerk read the bill in full.

1 Appropriation. The sum of two thousand five hundred dollars is hereby appropriated to be expended by the superintendent of the soldiers home for the purchase of a station wagon and for maintenance of said vehicle. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money not otherwise appropriated.

2 Purchases. The superintendent of the soldiers home is authorized to make purchases from the inventory at the Laconia state school. Notwithstanding any other provisions of law and funds received by the Laconia state school from sales to the soldiers home shall be credited to the state school.

3 Takes Effect. This act shall take effect upon its passage.

Mr. Clement of Rochester spoke in favor of the motion.

(discussion ensued)

On a *viva voce* vote the motion was adopted.

Committee Reports

Mr. Edwards of Antrim for the Committee on Public Works, SB 5, relative to state and town bridge aid. Inexpedient to legislate.

Mr. Galloway of Walpole explained the report of the committee.

On a *viva voce* vote the resolution was adopted.

Senate Message

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 7, relative to educational assistance to the blind.

SB 8, relative to the Nesmith Trust Fund.

SB 16, naming an interstate highway the General Frank D. Merrill Highway.

SB 23, relating to the American flag.

SB 6, relative to performance bonds on federal aid highway projects.

SB 9, relative to duties of the state historical commission as to erection of historic signs.

SB 12, relative to the classification of a highway in the city of Lebanon.

Introduction, First and Second Reading of Senate Bills

SB 7, to the committee on Education

SB 8, to the committee on Education

SB 16, to the committee on Transportation

SB 23, to the committee on Military and Veterans Affairs

SB 6, to the committee on Insurance

SB 9, to the committee on Public Works

SB 12, to the committee on Public Works

Resolutions

Mr. Pickett of Keene offered the following resolution:

Resolved, that the Interim Study Committee on Revision of the Banking Laws be given a thirty day extension.

Mr. Pickett explained the resolution.

(discussion ensued)

On a *viva voce* vote the resolution was adopted.

Committee Assignment

Mr. Avery of Ellsworth has been assigned to the committee on Insurance.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Third Readings

HB 145, relative to purchases by the soldiers home, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mrs. Lord of Gilford the House adjourned at 11:39 o'clock.

THURSDAY, FEBRUARY 2, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

God grant us the simple courage of Horace Greeley. On this day preceding the 150th anniversary of his birth in Amherst, we would recall the plain-speaking honesty of this New Hampshire man who became one of the most honored of all American journalists.

Let us apply the yardstick of truth to the challenges which induce us to compromise and conform. Let the fears we all experience, and the need for approval that we all share, be dominated by our sincere determination to walk in the Light that to each one of us is the way of truth and genuineness of purpose.

Amen.

Pledge of Allegiance to the Flag

Miss Whipple of Lebanon led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction, First and Second Reading of House Bills

HB 149, relative to the salary of the justice of the Dover municipal court (Karkavelas of Dover) to the Dover Delegation.

HB 150, to provide for a study of public access to the public lakes and ponds of the state over ten acres in extent (Rollins of Alton, Oliver of Marlborough, Pillsbury of Manchester, and King of Manchester) to Resources, Recreation and Development.

HB 151, to permit the state library commission to enter into agreements or compacts (Miskelly of Keene) to Executive Departments and Administration.

HB 152, relative to collection of taxes on real estate when such sale is of less than the whole estate (Gove of Concord) to Ways and Means.

HB 153, exempting mature timber from taxation when owned by municipality (Ballam of Walpole) to Ways and Means.

HB 154, relative to ranch bred mink (Bushey of Northumberland) to Fish and Game.

HB 155, relative to enlarging or reducing the membership of school boards (Hambleton of Goffstown) to Education.

HB 156, relative to clerk hire in the office of the sheriff of Strafford county (Clement of Rochester) to Strafford County Delegation.

HJR 15, providing funds for completion of forest conservation aid payments (Converse of Pittsburg) to Appropriations.

HJR 16, in favor of Wilbur J. Little (Marsh of Colebrook) to Finance.

Committee Reports

Carmen of Manchester for the Committee on Judiciary, HB 33, establishing a run-off primary. Inexpedient to legislate.

Miss Collyer of Lisbon moved that HB 33 be committed to the committee on Executive Departments and Administration and spoke in favor of the motion.

Messrs. O'York of Dover, Plumer of Bristol and Mrs. Frizzell of Charlestown spoke against the motion.

On a *viva voce* vote the motion was not adopted.

On a *viva voce* vote the resolution of the committee was adopted.

Normandin of Laconia for the Committee on Judiciary, HB 62, relative to removal of prisoners from county jails. Inexpedient to legislate.

At the request of Mr. Deans of Milford, Mr. Normandin explained the bill.

On a *viva voce* vote the resolution was adopted.

Mr. Gove of Concord for the Committee on Judiciary, HB 61, changing the name of Union Insurance Company of America, Inc. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Senate Message

The Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolution:

Concurrent Resolution Protesting relocation of Interstate Highway 91 within the State of Vermont.

Miss Collyer of Lisbon moved that the rules of the House be so far suspended as to permit the introduction of a concurrent resolution not previously passed on by the Rules committee.

The Clerk read the concurrent resolutions in full.

Concurrent Resolution with respect to the tenth amendment to the United States Constitution.

Miss Collyer of Lisbon spoke in favor of the motion.

Mr. Goode of Manchester spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion was not adopted.

Reconsideration

Mr. Chandler of Bartlett, having voted with the majority, moved that the House reconsider HB 33, and spoke against the motion.

On a *viva voce* vote the motion was lost.

Communication

January 30, 1961

Mr. Stewart Lamprey
Speaker of the House of Representatives and
members of the General Court

Dr. Mr. Speaker:

My family and I deeply appreciate your kindness in sending us Resolutions on the death of our husband and father (Walter E. Swett). They will be cherished I assure you.

Sincerely,

Katherine M. Swett
& family

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Third Readings

HB 61, changing the name of Union Insurance Company of America, Inc., was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mrs. Ayre of Laconia the House adjourned at 11:52 o'clock.

TUESDAY, FEBRUARY 7, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

O God, whose power is reflected in the storm winds blowing on our mountains and the snow blanketing our towns and cities, grant us the wisdom to know that thou hast greatest power to alter and affect our world when we give thee place within our hearts. Many voices and many causes beckon to us, and it is easy to grow uncaring and insensitive. We sometimes escape the demands placed on us by becoming blind to them and refusing to acknowledge that they exist, or, by regarding them as someone else's responsibility. Be thou within us, O God, the spirit of concern that we may be counted among the tender-hearted.

Amen.

Pledge of Allegiance to the Flag

Mrs. Kimball of Jefferson led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. Newell of Hopkinton was granted leave of absence for the day on account of important business.

Mr. Keith of Sutton was granted leave of absence for the week on account of important business.

Mr. Bevan of Durham was granted leave of absence for the day on account of illness.

Mr. Kershaw of Swansey was granted leave of absence for the week on account of illness.

Mr. Bragdon of Amherst was granted leave of absence for two weeks on account of important business.

Mr. LaMott of Haverhill was granted leave of absence for today and tomorrow on account of important business.

First and Second Reading of House Bills

HB 157, relative to retired members of the policemen's retirement system (Karkavelas of Dover) to Executive Departments and Administration.

HB 158, relative to policemen's retirement system, twenty-five year plan (Karkavelas of Dover) to Executive Departments and Administration.

HB 159, to rehabilitate the Sunapee State Park sinking fund (Taft of Greenville) to Finance.

HB 160, relative to the sale of bottled liquor (Bouchard of Berlin) to Liquor.

HB 161, relative to officers of the New Hampshire State Port Authority (Hunter of Hampton) to Executive Departments and Administration.

HB 162, authorizing the acquisition of a parking area in Concord for the general court (Brown of Sandwich, Plumer of Bristol, Sheridan of Berlin and Willey of Campton) to Appropriations.

HB 163, to repeal free fish and game licenses for resident members of armed forces (Willey of Campton) to Fish and Game.

HB 164, relative to acquisition of land for propagation of game (Welch of Concord) to Fish and Game.

HB 165, relative to expenditure of state appropriations (Goode of Manchester and Chandler of Bartlett) to Executive Departments and Administration.

HB 166, relative to the library building at the University of New Hampshire (O'Neil of Chesterfield) to Appropriations.

HB 167, relative to the cancellation of accident and health policies (Belanger of Manchester) to Insurance.

HB 168, relative to policy fees for accident and health insurance (Coutermarsh of Lebanon) to Insurance.

HB 169, relative to salaries of state employees (LaFrance of Manchester, Ward 7) to Finance and Appropriations.

HB 170, establishing the office of judicial referee (Totman of Alstead) to Judiciary.

HB 171, relative to unemployment compensation (Angus of Claremont) to Labor.

HB 172, relating to issuance of duplicate fish and game licenses (Kearns of Manchester) to Fish and Game.

HB 173, requiring approval of election of members of managing boards of savings banks and trust companies by bank commissioner (Walsh of Manchester) to Banks.

HB 174, relative to the salary of the sheriff of Rockingham County (Osborn of Portsmouth) to Rockingham Delegation.

HB 175, relative to entrance fees of credit unions (Hambleton of Goffstown) to Banks.

HB 176, relative to motor vehicle permits (Stevenson of Bethlehem) to Executive Departments and Administration.

HB 177, legalizing the biennial election of 1960 in the town of New Ipswich (Karnis of New Ipswich) to Municipal and County Government.

HB 178, to prohibit discrimination in places of public accommodation (Craig of Manchester) to Judiciary.

HJR 17, in favor of Rita Collyer (Larty of Haverhill) to Finance.

Mr. Deans of Milford moved that the rules of the House be so far suspended as to dispense with the printing of HB 177 and spoke in favor of the motion.

The Clerk read HB 177 in full.

On a *viva voce* vote the motion prevailed.

Mr. Chandler of Bartlett moved that the rules of the House be so far suspended as to dispense with the printing of HJR 17.

The Clerk read the HJR in full.

On a *viva voce* vote the motion was adopted.

Committee Reports

Mr. Bigelow of Warner for the Committee on Banks, SB 15, in relation to Hillsboro Guaranty Savings Bank. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Claflin of Wolfeboro moved that the rules of the House be so far suspended as to dispense with public hearing and committee report on SB 16, naming the Interstate Highway the Frank G. Merrill Highway, and that the bill be put on third reading and final passage by title only at the present time.

Messrs. Claflin of Wolfeboro and Pickett of Keene spoke in favor of the motion.

The Clerk read the bill in full.

On a *viva voce* vote the motion was adopted.

Third Reading

SB 16, was read a third time, passed, and sent to the Secretary of State to be engrossed.

Reconsideration

Miss Collyer of Lisbon served notice that today, or some subsequent day, she would ask for reconsideration of the Concurrent Resolution with respect to the tenth amendment to the United States Constitution.

Senate Messages

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 28, relating to bonds for housing projects and redevelopment projects.

SB 18, providing for the election of county commissioners for the county districts of Coos County.

SB 27, relating to the salary of the mayor of the city of Nashua.

Introduction, First and Second Reading of Senate Bills

SB 28, to the committee on Judiciary.

SB 18, to the Coos county delegation.

SB 27, to the Nashua delegation.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 145, relative to purchases by the soldiers home.

HB 11, relative to names of business corporations.

HB 12, relative to regulations for use of limited access highways.

HB 59, relating to Amoskeag Savings Bank.

A further Senate message announced that the Senate has passed the following joint resolutions, in the passage of which it asks the concurrence of the House of Representatives:

SJR 1, Joint Resolution relative to improving ski area facilities in New Hampshire.

SJR 1 was referred to the committee on Resources, Recreation and Development.

Concurrent Resolution

Mr. Karkavelas of Dover offered the following concurrent resolution:

Resolved by the Senate and House of Representatives of the State of New Hampshire

That, pursuant to the provisions of Article V of the Constitution of the United States, application is hereby made to the Congress of the United States to call a convention for the purpose of proposing an amendment to such Constitution under which, except for trust fund expenditures and receipts, the expenditures of the Federal Government during any fiscal year may not exceed the estimated receipts of such Government during such fiscal year, unless a substantial majority of the Congress, on recommendation of the President and because of

war or other grave national emergency, votes to suspend the limitation on expenditures for a specified period of time.

The concurrent Resolution was referred to the Appropriations committee.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Reading

SB 15, in relation to Hillsboro Guaranty Savings Bank, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Davis of Conway the House adjourned at 11:53 o'clock.

WEDNESDAY, FEBRUARY 8, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend Laurence L. Hucksoll, of the Federated Church of Bristol, as follows:

"Eternal God our Father, as we bow before Thee in prayer, we pray that Thou wilt bless these representatives chosen by the people of this state. Thou knowest them, their needs, their motives, their hopes and fears.

"Grant them a freshness of Spirit. Create warm relationships between the members of this body and those who work with them. May they be able to disagree without being disagreeable and to differ without being difficult.

"As Thy servants here sincerely seek to do right, make it plain to them. Knowing that criticism will come, help them to

handle it wisely. Amid all the pressures brought upon them, may they follow Thy guidance for the good of all our people, that Thy will may be done in the state through these Thy servants; through Jesus Christ our Lord, Amen."

Pledge of Allegiance to the Flag

Mr. Normandin of Laconia led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of Girl Scouts from Laconia as guests today of the Laconia Delegation.

Leaves of Absence

Mr. Gay of Derry was granted a leave of absence for the day on account of a death in the family.

Mr. Bevan of Durham was granted a leave of absence for the day on account of illness.

First and Second Reading of House Bills

HB 179, relative to divisions of the state for the taking of wild deer (Hanson of Bow) to Fish and Game.

HB 180, to increase the terms of office of the clerk and treasurer of the city of Nashua (Brosnahan of Nashua) to the Nashua Delegation.

HB 181, relative to the taking of deer (Buckley of Mont Vernon) to Fish and Game.

HB 182, to increase the parliamentary rights of the mayor of Nashua (Pappagianis of Nashua) to the Nashua Delegation.

HB 183, limiting the taking of deer to certain sections of the state (Stevenson of Bethlehem) to Fish and Game.

HB 184, relative to commitment of minors to the industrial school (Healy of Manchester, Ward 8) to Judiciary.

HB 185, relative to the issuance of short term loans for highway purposes (Galloway of Walpole) to Finance.

HB 186, relative to licensing and bond for poultry dealers (Stevens of Epsom) to Agriculture.

HB 187, authorizing the establishment of an interstate school district by Hanover, New Hampshire, and Norwich, Vermont (Neale, Hayward, Bowler and Low all of Hanover) to Judiciary.

HB 188, amending the charter of the city of Somersworth (Habel of Somersworth) to the Somersworth Delegation.

HB 189, relating to the salaries of the Rockingham County Commissioners (Shepard of Londonderry and Hunter of Hampton) to the Rockingham Delegation.

HB 190, in amendment of Chapter 328, Laws of 1951, creating the New Hampshire Business Development Corporation (Bigelow of Warner) to Judiciary.

HB 191, relating to poll taxes (Chandler of Bartlett and Rufo of Concord) to Municipal and County Government.

Committee Reports

Mrs. Davis of Conway for the Committee on Municipal and County Government, SB 2, relating to incompatible town offices. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Barker of Stratham for the Committee on Municipal and County Government, HB 49, providing for a town meeting to be held on two consecutive days. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Hanson of Bow for the Committee on Municipal and County Government, HB 52, to authorize towns to adopt fire prevention code by reference. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Desnoyer of Claremont for the Committee on Municipal and County Government, HB 72, relative to folding and depositing ballots at elections. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. Blanchette of Dover for the Committee consisting of the members from the city of Dover, HB 60, relative to the police department of the city of Dover. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. Weeks of Greenland for the Committee consisting of the members from the county of Rockingham, HB 54, designating the house of correction in Rockingham county as a jail. Ought to pass with amendment.

Amend section 2 of the bill by striking out the words "sixty days after its passage" and inserting in place thereof the words, upon its passage, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect upon its passage. The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Report of Committee on Engrossed Bills

Mrs. Kinghorn of Piermont for the Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 11, relative to names of business corporations.

HB 12, relative to regulations for use of limited access highways.

HB 59, relating to Amoskeag Savings Bank.

HB 145, relative to purchases by the soldiers home.

Miss Collyer of Lisbon requested that the concurrent resolution with respect to the tenth amendment to the United States Constitution be printed in the Journal.

Hearing no objection from the House, the Speaker so ordered.

Concurrent Resolution with respect to the tenth amendment to the United States Constitution.

Whereas, the Tenth Amendment to the Constitution of the United States provides that the powers not delegated to the

United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people; and

Whereas, a number of developments both legislative and judicial in recent years have tended to minimize the rightfully reserved powers of the states protected by the Tenth Amendment; and

Whereas, such responsible representatives as the judiciary of the several states at the conference of chief justices have expressed concern lest the powers and sovereignty of the various states be completely eroded through a process of federal judicial interpretation; and

Whereas, the general court of New Hampshire is greatly concerned by the erosion of state sovereignty through judicial interpretation and congressional inaction, which is nearing a point whereat the sovereignty and powers of the several states will have become so lessened as to render them mere provinces of an all-powerful federal government, contrary to the intent of the founding fathers, who were careful to provide in the Constitution of the United States that the powers not granted to the federal government were reserved to the states and to the people thereof; now, therefore be it

Resolved, that the general court of the state of New Hampshire calls upon both the Congress and the Supreme Court of the United States to so write and interpret the laws of the land as to preserve and protect the constitution of the United States, which reserves sovereign powers to the states and to the people thereof, having due regard for the fundamental juridical precept that changes in the constitution of the United States are lawfully required to take place by constitutional amendment and not by judicial interpretation; and be it further

Resolved, that the Secretary of State transmit copies of this Concurrent Resolution to Senators Styles Bridges and Norris Cotton of the Senate of the United States, and to Congressmen Chester Merrow and Perkins Bass of the national House of Representatives.

Senate Messages

The Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 32, relative to assistance to needy blind.

Introduction, First and Second Reading of a Senate Bill

SB 32, to the committee on Public Welfare and State Institutions.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 13, relative to classification of turnpikes and interstate highways.

HB 18, relating to reports of the commissioner of public works and highways.

HB 26, relative to auxiliary service roads and their classification.

HB 42, relative to property holding by the Nashua Protestant Home for Aged Women.

Communication

Hon. Stewart Lamprey, Speaker
House of Representatives

Dear Mr. Speaker:

Will you please tell the Legislative Body how much I appreciate the donation which they took up for me.

It was very kind of all who gave and I do appreciate the time donated by those who conducted the gift.

I am here at the Odd Fellows Home Infirmary and would be happy to see any who care to call.

I hope the time will not be too long before I am back with you all again.

My best to you all,

Herbert R. Richardson, Doorkeeper

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of

bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Reading

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 52, to authorize towns to adopt fire prevention code by reference.

HB 54, designating the house of correction in Rockingham county as a jail.

On motion of Mrs. Davis of Concord the House adjourned at 11:36 o'clock.

THURSDAY, FEBRUARY 9, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

God, we would be mindful of the blessings we enjoy: — that while our minds and bodies are constantly involved with the complexity and detail of material concern, all the while intangible spiritual realities undergird our life together. We do not pray that we may be free of hazards, heartache and headache. We pray, rather, that we may respond to the difficulties of our personal lives and the challenges of our public life as befits men and women who possess values and faith, and who here represent a proud people whose future is deserving of our best efforts. In all the tests of character and ability that come to us, we would be motivated to clothe our relations in the spirit of love, and to address our words and deeds with integrity to the ideals we cherish.

Amen.

Pledge of Allegiance to the Flag

Mr. Moore of Bradford led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mrs. Cary of Manchester was granted leave of absence for the day on account of a death in the family.

Messrs. Peever of Salem and Soucy of Manchester were granted leaves of absence for the day on account of important business.

First and Second Reading of House Bills

HB 192, relative to open season for taking deer (Bushey of Northumberland) to Fish and Game.

HB 193, to redistrict the state into councilor districts (Bowles of Portsmouth) to Judiciary.

HJR 18, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham, New Hampshire (Chandler of Bartlett) to Appropriations.

Change of Reference

The Speaker announced that the reference of HB 187, authorizing the establishment of an interstate school district by Hanover, New Hampshire and Norwich, Vermont, to the Judiciary committee would be vacated and that the bill was referred to the Education committee unless otherwise ordered by the House.

Committee Reports

Mr. Fortier of Berlin for the Committee consisting of the members from the City of Berlin, HB 75, providing a retirement system for employees of the city of Berlin. Ought to pass with amendment.

Amend section 1 of said bill by inserting after the word "retirement" in the third line the words, except social security, so that said section as amended shall read as follows:

1 General Retirement System. The city of Berlin is hereby empowered to create a general retirement system, which all employees of the city of Berlin, who are not under any other system of retirement except social security, will be eligible to become members of and receive the benefits therefrom, by complying with the requirements of said retirement system.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Henry of Concord for the Committee consisting of the members from the City of Concord, HB 83, relative to the salary of the justice of the Concord municipal court, Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bingham of Concord for the Committee consisting of the members from the City of Concord, HB 84, relative to the salary of the special justice of the Concord municipal court. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bennett of Keene for the Committee consisting of the members from the city of Keene, HB 146, to amend the charter of the city of Keene. Ought to pass.

Mr. Bennett of Keene explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 13, relative to classification of turnpikes and interstate highways.

HB 18, relating to reports of the commissioner of public works and highways.

HB 26, relative to auxiliary service roads and their classification.

HB 42, relative to property holding by the Nashua Protestant Home for Aged Women.

SB 15, in relation to Hillsborough Guaranty Savings Bank.

SB 16, naming an interstate highway the General Frank D. Merrill Highway.

Mr. Pillsbury of Manchester moved that the rules be so far suspended as to dispense with the committee report on SJR 1, relative to improving ski area facilities in New Hampshire, and that the resolution be put on third reading and final passage by caption only at the present time.

The Clerk read SJR 1 in full.

(discussion ensued)

Mr. Pillsbury of Manchester and Mr. Chandler of Bartlett spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Third Reading

SJR 1 was read a third time, passed, and sent to the Secretary of State to be engrossed.

Resolutions

Mr. Morris of Manchester offered the following resolutions for the Manchester Delegation:

Whereas, we have learned of the passing of William Beaulieu of Manchester, and

Whereas, Mr. Beaulieu was a brother of our fellow Representative Beatrice Beaulieu Cary, therefore be it

Resolved, that we, the members of the New Hampshire House of Representatives in General Court convened, do hereby express our sympathy to Mrs. Cary in her bereavement and be it further

Resolved, that a copy of these resolutions be transmitted to Mrs. Cary.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Reading

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 75, providing a retirement system for employees of the city of Berlin.

HB 83, relative to the salary of the justice of the Concord municipal court.

HB 84, relative to the salary of the special justice of the Concord municipal court.

HB 146, to amend the charter of the city of Keene.

On motion of Mrs. Thompson of Northfield the House adjourned at 11:45 o'clock.

TUESDAY, FEBRUARY 14, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend John J. Foley, St. Catherine Church of Manchester as follows:

Almighty God, the Governor of this State, his trusted assistants and the members of this General Court, place themselves in Your Holy Presence, to adore Your Divine Majesty, and to beg Your assistance in the performance of their solemn duties.

They acknowledge that You see all, know all, even their most secret thoughts, words and actions, that nothing is hard

or impossible to You and finally that You graciously grant Your blessings on Your devoted children.

Bestow, then, on our Governor, the grace to persevere in his true sense of responsibility, so that he may not only lead our State to glory, but also be an inspiration to this legislative body and a source of edification to all the citizens of New Hampshire.

Enlighten his advisers and this Court in their deliberations and judgments. Make all understand that their works must one day be accounted for to You from Whom nothing is hidden.

Bless them, dear Lord, so that their actions may accord with Your Holy Law and so please Your holy will that You will judge them worthy of membership in Your heavenly Court.

Amen

Pledge of Allegiance to the Flag

Mrs. Ainley of Manchester led the Convention in the Pledge of Allegiance to the Flag.

The Speaker introduced Dr. Eldon L. Johnson, President of the University of New Hampshire who addressed the Joint Assembly as follows:

A Nobel-prize-winning novelist once wrote an article asking, "What has happened to the American Dream?" We are assembled here today to commemorate a part of that dream which has been realized — and to discuss a part yet to be fulfilled.

The country-wide educational system whose founding we are here to commemorate is one of the bands of steel which have held the states together as an indivisible nation. It is no accident that the origins we celebrate date from the midpoint of a bloody civil war, when healing and building were painfully needed. The war mercifully stopped two years later; the healing and building still go on. It is no accident that the President who struck the decisive blow for freedom from bondage did the same for freedom from ignorance — that the President who struck down racial barriers to human development also attacked economic barriers to education.

No one can understand the land-grant colleges and universities unless he understands their origins as a part of the

American Dream of equality of opportunity, of national greatness based on individual development, and of the subjugation of a continent to the will and the knowledge of man. This Dream could not be realized without education — without education as broad as everybody and as high as everybody's ability. This was perhaps the most optimistic statement of human expectations ever expressed by man. It was a vision but not visionary, a dream but a dream to be made real.

No leaders and no people ever before so tightly clasped together their nation's purpose and their children's education. Listen! "If a nation expects to be ignorant and free . . . it expects what never was and never will be". This is the voice of Thomas Jefferson. "Preach a crusade against ignorance; establish and improve the law for educating the common people." Again the voice of Jefferson. "Public opinion . . . should be enlightened." The voice of George Washington. "On the diffusion of education . . . rest the preservation and perpetuation of our free institutions." The voice of Daniel Webster. So spoke our leaders.

Even before the Constitution was adopted, the Ordinance of 1787 governing that vast western domain called the North West Territory set aside land to assure that "the means of education shall forever be encouraged." New state constitutions and statutes followed the same spirit. Whether public lands should become a perpetual endowment for education became a lively topic for debate, not just in the West but also in Boston and Baltimore, in Vermont and New Hampshire. As a pioneer Illinois educator put it: "In our country, we have no aristocracy . . . but we must create our nobility . . . as we elect our rulers, from our ranks, to aid and serve, not to domineer over and control us."

America needed men to aid and serve. It needed wide-open opportunity for youth to move upward with no hindrance except their ability. America found these through the efforts of a Senator from New England, a President from the Midwest, and a Congress from the dismembered nation. In 1862 President Lincoln signed into law an act sponsored by Senator Justin Morrill of Vermont, setting aside grants of public lands for the support of state colleges "to promote . . . liberal and practical education", not excluding "other scientific and classical studies,"

but "where the leading object shall be . . . to teach such branches of learning as are related to agriculture and mechanic arts." Here was an educational revolution. Out of days of national disaster came words of national destiny. The nation's resources for the first time were put at the disposal of higher education. A system of institutions, nation-wide in scope, purpose, and service, was established, with each state to make local applications of a national philosophy. Science and technology were elevated to a place alongside classical studies. The practical and useful were given prominence without displacing the intellectual. The concept of a people's university, responsive to the people's needs, was implicit in these origins. As Senator Morrill later explained, the central purpose was to have "at least one college in every state upon a sure and perpetual foundation, accessible to all, but especially to those at the bottom of the ladder without the means to seek far from home a higher standard of culture."

From these beginnings of 100 years ago, 68 colleges and universities have grown — one in each of the 50 states and a second one in some, including 16 originally founded in the South for the education of Negroes. While the source of the original funds was perpetuated in the name, "land grant," the income from this source soon became negligible. What remained of importance was not the land-grant aid but the educational philosophy which justified the expenditure of federal funds through state institutions to serve a national purpose. This has produced and sustained universities of the people, dedicated to three major tasks: teaching, research, and public service. The great historic importance of the land-grant action in 1862 was not the wise use of natural resources but the wise use of human resources. The untapped reservoir of the nation's youth was to be harnessed. Equality and education were inseparably linked. Equality of wealth was not possible but equality of educational opportunity was, so youth would have the chance, and an equal chance, to become as *unequal* as their talents would permit. No other nation ever proceeded on such confidence in its citizens. No other ever so combined the growth of men and the growth of nation. This is the peculiar genius of the American system.

What has this meant and what does it now mean to America? Among more than 1800 colleges and universities in this country, these 68 enroll almost one-fifth of all college students.

They have grown with the nation and will continue to grow. It is significant in a scientific age that these institutions produce, in relation to enrollment, between two and three times their proportion of advanced scientific degrees. These few institutions produce approximately half the nation's doctoral degrees in sciences, engineering, and the health professions, as well as all those in agriculture and a quarter of those in arts, languages, business, and education. In contributions to economic growth, they are second to none in training of professional manpower, in performance of government-sponsored research, and in publications and inventions. In providing great men, they bow to no other source. Twenty of the 38 living American-educated Nobel prizewinners received degrees from land-grant universities. In manpower for the country's defense, they supply approximately half of all regular and reserve military officers of the United States. If anyone wonders how far these humble colleges have come in 100 years, here is the answer.

But there are contributions even more important. These open-door universities have helped provide a social mobility, an absence of class, and a resolution of human conflicts which is envied by all foreign observers. They have created an agricultural revolution which has fed an expanding nation well and at the same time released land and workers for great industrial might and burgeoning urban culture. Every American citizen is the beneficiary. These universities have pushed farthest the democratic ideal of universal education, becoming the apex of that pyramid of publicly guaranteed opportunity for the education of all to their full capacities. No other nation has been so committed to that goal or has so nearly achieved it. These institutions have written such a record of learning in the service of the people that the "land-grant idea" is now one of the most popular of American exports, eagerly sought by people in underdeveloped areas. What better evidence that these ideals are regarded as the key to American greatness? And what better reminder that these are the key to any future greatness also?

"What has happened to the American Dream?" the novelist asked. Do we take it for granted? Are struggling people abroad more excited about it than we are? The American Dream is a figure of speech. It has meaning only for those who are awake. Its greatest threat is the complacent idea that the struggle for opportunity is won, our effort can now level off, and all young

men and women can and should themselves pay for the development of their talents. Eighty years ago the British Ambassador, from the land of ancient private universities, was amazed to find in this country land-grant colleges and state universities open to students without charge. If he were to return today, he would be amazed to learn that this, the proud home of the public university, is relying more and more on private, student charges while his own country pays 80 per cent of all university budgets from public funds. There are also those who say enough are now being educated — colleges are big enough. But when we stop wanting to grow, when we stop dreaming of a brighter future, when we stop wanting to know more about man and his world, then and only then can we stop wanting more and better education. The land-grant universities intend to grow as the nation intends to grow, proudly hand-in-hand. They aspire to become better as the nation aspires to become better.

Timidity about the future is a repetition of history for the land-grant universities. Senator Morrill's earlier bill of 1859 was vetoed by President Buchanan, who feared damage to existing colleges and doubted the power and propriety of appropriating money for education. To this, the Senator from New England scornfully replied: "If we can legislate for the deaf and dumb, may we not legislate for those who can hear and speak? If we can legislate for the insane, may we not legislate for the sane?" It took vision born of national disaster to give an affirmative answer. A new and wiser President took action which brings us together here almost a century later in happy commemoration.

A century of achievement is past. What lies ahead? "During the next century of academic history," wrote the president of the nation's oldest private university some years ago, "university education in this Republic will be largely in the hands of the tax-supported institutions. As they fare, so fares the culture and intellectual life of the American people."

How do we want the American people to fare?

At the request of the Chair Mrs. Ainley of Manchester escorted Mr. Geisel of Manchester to the Rostrum.

His Excellency, Governor Powell, then extended congratulations to Mr. Geisel on the occasion of his 90th birthday and presented him with a suitably engraved plaque.

Mrs. Ainley of Manchester for the Manchester Delegation offered the following concurrent resolutions:

Whereas, the 14th of February is not only the birthday of the good Saint Valentine, the patron saint of sweethearts, but also the birthday of our Fellow Member, Joseph H. Geisel, representative from Manchester, therefore be it

Resolved, that we, the members of the 1961 House of Representatives, the Senate concurring, wish for Mr. Geisel on this, his ninetieth birthday, all the joys commensurate with his cheerful disposition and his helpfulness to those who are near him, with the hope that for him it will be the happiest birthday of his life, and be it further

Resolved, that when the House adjourns today, it be in honor of Joseph H. Geisel.

On a rising vote the concurrent resolutions were unanimously adopted.

Mr. Geisel of Manchester expressed his appreciation to the Joint Convention.

On motion of Senator Humphreys of District No. 24 the Convention rose.

House

Leaves of Absence

Messrs. McDaniel of Nottingham, Claveau of Hudson, Hill of Littleton and Mrs. Tarrant of Pittsfield were granted leave of absence for the day on account of important business.

Mr. Edwards of Antrim was granted leave of absence for the week on account of illness.

Messrs. Purington of Exeter, Bradley of Thornton and Miss Cole of Nashua were granted leave of absence for the week on account of important business.

First and Second Reading of House Bills

HB 194, relating to mutual savings banks (Newell of Concord) to Banks.

HB 195, relative to motor vehicle accident reports (Hambleton of Goffstown) to Insurance.

HB 196, relative to total population figure at Laconia State School (Ainley of Manchester) to Public Welfare and State Institutions.

HB 197, relative to payment of commissions by insurance companies (Belanger of Manchester) to Insurance.

HB 198, relative to the sale of liquor and beverages on Sundays and on election days while the polls are open (Angus of Claremont) to Liquor Laws.

HB 199, relating to the salaries of mayor and councilmen of the city of Franklin (Messrs. Boomhower, Charland, Daniel, Gilman and Dempsey) to the Franklin Delegation.

HB 200, to redistrict the state for the purpose of choosing representatives in Congress (Bowles of Portsmouth) to Judiciary.

HB 201, providing for the classification of the surface waters of the Lake Massabesic watershed (King of Manchester and Kearns of Manchester) to Resources, Recreation and Development.

Committee Reports

Mr. Adams of Madbury for the Committee on Agriculture, HB 23, relative to the sale of electrical appliances for agricultural uses. Inexpedient to legislate, subject matter covered by existing legislation.

On a *viva voce* vote the resolution was adopted.

Mrs. Roulston of Salem for the Committee on Executive Departments and Administration, HB 21, regulating the practice of professional engineering. Ought to pass with amendment.

Amend said bill by striking out section 4 and renumbering section 5 to read section 4.

The Clerk read the amendment in full.

At the request of Mr. Gilman of Farnington, Mrs. Roulston of Salem explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Porter of Lebanon for the Committee on Public Health, HB 4, relative to radiation protection. Ought to pass with amendment.

Amend section 125:43, as inserted by section 1 of the bill, by striking out in the two last lines the words "be hazardous to the health of the people or the industrial or agricultural potentials of the state" and inserting in place thereof the words, present a substantial hazard to the health of the people or the industrial or agricultural potentials of the state as determined by the consensus of opinion of competent scientific authorities, so that said section as amended shall read as follows: 125:43 Definitions. The following words as used in this subdivision shall have the following meanings: "Board" means the state board of health; "department" means the state department of health; "person" is any individual, corporation, association, institution, firm, partnership, agency or other organizational entity; and "unnecessary radiation" means the use of gamma rays, X-Rays, alpha and beta particles, high speed electrons, neutrons, protons, and other atomic or nuclear particles or rays in such manner as may present a substantial hazard to the health of the people or the industrial or agricultural potentials of the state as determined by the consensus of opinion of competent scientific authorities.

Amend section 125:44, as inserted by section 1 of the bill, by inserting after the word "code" in the fifth line the words, rule, regulation, so that said section as amended shall read as follows: 125:44 Rules and Regulations. The state board of health shall have power to formulate and promulgate, amend and repeal codes and rules and regulations, including registration of sources of radiation as may be necessary to prohibit and prevent unnecessary radiation; provided, however, that no such code, rule, regulation, amendment or repeal shall be adopted except after public hearing, to be held thirty days' prior notice thereof by public advertisement of the date, time and place of hearing, at which, opportunity to be heard by the state board of health or its duly authorized representative with respect thereto shall be given to the public; and provided, further, that no such amendment or repeal shall be or become effective until thirty days after such hearing.

Amend section 125:50, as inserted by section 1 of the bill, by striking out in the second and third lines the words "for the

purpose of diagnosis or therapy, or medical research, as authorized by law" and inserting in place thereof the words, by members of any legal recognized healing profession as authorized by law, so that said section as amended shall read as follows: 125:50 Exceptions. Nothing herein shall be interpreted as limiting intentional exposure of patients to radiation by members of any legal recognized healing profession as authorized by law.

Mr. Porter of Lebanon moved that the reading of the amendment be dispensed with and explained the amendment.

On a *viva voce* vote the motion was adopted.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. O'York of Dover for the Committee on Public Health, HB 56, eliminating the requirement for certain reports to the state board of health. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 82, giving injunctive relief for violations of water pollution commission orders. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 85, making counties eligible for state aid for water pollution control. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Watson of Belmont for the Committee on Resources, Recreation and Development, HJR 10, relative to control of the Dutch elm disease. Ought to pass.

The Chair referred HJR 10 to the Appropriations committee under the rules.

Mr. Galloway of Walpole moved that the rules of the House be so far suspended as to permit the introduction of a

committee report not advertised in the Journal for two days and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Hancock of Concord for the Committee on Insurance, SB 6, relative to performance bonds on federal aid highway projects. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Report of Engrossed Bills Committee

Mrs. Ayre of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill and Senate Joint Resolution:

HB 25, relative to expenditure of revenue from turnpikes.

SJR 1, relative to improving ski area facilities in New Hampshire.

Senate Messages

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 25, relative to expenditure of revenue from turnpikes.

The Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 2, relative to eating places and for correction of references in statutes.

The Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 26, in relation to automobile liability insurance.

Senate Bill Read and Referred

SB 26 was introduced, read a first and second time and referred to the committee on Insurance.

Resolutions

Messrs. Aucella of Bennington and Pickering of Hancock offered the following resolutions:

Whereas, Ellerton H. Edwards, Representative from Antrim, is confined to his home by illness, therefore be it

Resolved, That we, the members of the House of Representatives of the General Court convened, extend our sympathy to our Fellow Member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit to Representative Edwards a copy of these Resolutions.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only and House Joint Resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Reading

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 21, regulating the practice of professional engineering.

HB 4, relative to radiation protection.

HB 56, eliminating the requirement for certain reports to the state board of health.

HB 82, giving injunctive relief for violations of water pollution commission orders.

HB 85, making counties eligible for state aid for water pollution control.

Reconsideration

Mr. Galloway of Walpole, having voted with the majority, moved that the House reconsider SB 6 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Third Reading

SB 6, relative to performance bonds on federal aid highway projects, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Frizzell of Charlestown the House adjourned in honor of Mr. Geisel's 90th birthday at 12:24 o'clock.

WEDNESDAY, FEBRUARY 15, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

On this day so important in the religious traditions of many gathered here, we would make our prayer of dedication in the words of a familiar hymn: —

“Faith of our fathers, living still,
In spite of dungeon, fire and sword,
O how our hearts beat high with joy,
When e'er we hear that glorious word! . . .
Our fathers, chained in prisons dark,
Were still in heart and conscience free;
And blest would be their children's fate
If they, like them, should die for thee . . .
Faith of our fathers, faith and prayer
Have kept our country brave and free,
And through the truth that comes from God,
Her children have true liberty . . .
Faith of our fathers, we will love
Both friend and foe in all our strife,
And preach thee, too, as love knows how,
By kindly words and virtuous life;
Faith of our fathers, holy faith,
We will be true to thee till death.”

Amen.

Pledge of Allegiance to the Flag

Mr. Hanson of Bow led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group of 4th grade Clark School children from Amherst as guests of Mr. Bragdon of Amherst.

A group of 7th and 8th grade students from Bow as guests of Mr. Hanson of Bow.

First and Second Reading of House Bills

HB 202, relative to use of motor vehicles used exclusively for camping purposes (Marsan of Rochester) to Transportation.

HB 203, relative to bounties for porcupines (Watson of Belmont, Larty of Haverhill, Fortier of Berlin) to Appropriations.

HB 204, relating to banks and building and loan associations (King of Manchester) to Banks.

HB 205, relating to the sale of gasoline at retail (Watkinson of Fitzwilliam) to Transportation.

HB 206, relating to the construction of state armories (all the members of the Franklin and Laconia Delegations) to Military and Veterans Affairs.

HB 207, establishing the Lake Sunapee Regional Planning Authority (Merrifield of Sunapee, London of New London) to Executive Departments and Administration.

HB 208, relating to revocation of hunting and fishing licenses (Willey of Campton) to Fish and Game.

HB 209, to clarify and make more uniform the laws relating to banking and to make certain technical amendments thereto (Newell of Concord) to Banks.

HB 210, relative to cooperative school districts (Heald of Durham) to Education.

HB 211, increasing the rate for minimum wages (Lemay of Manchester) to Labor.

HB 212, repealing the bond and debt retirement tax on wood and timber (Chandler of Bartlett) Ways and Means.

Committee Reports

Mrs. Roulston of Salem for the Committee on Executive Departments and Administration, HB 47, amending the benefits payable upon retirement. Ought to pass.

The Chair referred the bill to the Committee on Appropriations under the Rules.

Mrs. Cooper of Nashua for the Committee on Judiciary, HB 55, relating to the mental treatment of juveniles. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Ainley of Manchester for the Committee on Judiciary, HB 78, to provide a penalty for obtaining telecommunications service fraudulently. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Judiciary, HB 105, making town meeting day a legal holiday. Inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Healy of Manchester for the Committee on Judiciary, SB 22, relating to eminent domain proceedings by housing authorities. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Judiciary, HB 32, relative to local civil defense emergencies. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Fox of Wakefield for the Committee on Public Works, HB 104, relative to a bridge in Plainfield. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Senate Bill:

SB 6, relative to performance bonds on federal aid highway projects.

Senate Messages

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 25, relative to fees for fish and game licenses, and eliminating the so-called license stamps.

SB 34, establishing the Emergency Interim Succession Act.

SB 36, to apply the principles of home rule to the establishing of salaries of city officials and employees.

Senate Bills Read and Referred

The following Senate Bills were read a first and second time and referred as follows:

SB 34, to Judiciary

SB 25, to Fish and Game

SB 36, to Executive Departments and Administration

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 39, providing for forfeiture of fish or wild animals illegally imported into this state.

HB 44, relative to forfeiture of fish and game not legally possessed.

Reconsideration

Miss Collyer of Lisbon moved that the House reconsider the concurrent resolution with respect to the Tenth Amendment to the United States Constitution, as printed in the Journal of February 8, pages 6 & 7, and spoke in favor of the motion.

Parliamentary Inquiry

Mr. Pillsbury of Manchester rose on a point of Parliamentary Inquiry.

Mr. Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion to reconsider prevailed, the Clerk read the concurrent resolution in full and it was referred to the committee on Judiciary.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Reading

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 55, relating to the mental treatment of juveniles.

HB 78, to provide a penalty for obtaining telecommunications service fraudulently.

SB 22, relating to eminent domain proceedings by housing authorities, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Tarrant of Pittsfield the House adjourned at 11:58 o'clock.

THURSDAY, FEBRUARY 16, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

O Thou, who hast placed in the mind of a most common-appearing man a spirit of beauty, and who hast set a backwoodsman at the fore of our national heroes, do Thou give us the good sense to listen to Thy spirit in Abe Lincoln's words:—

“Let us have faith that right makes might; and in that faith let us to the end, dare to do our duty as we understand it.” (Address, Cooper Union, New York, February 27, 1860)

We pray for this mind that can lift personality above circumstances however mean and endow life with greatness. In our commonness, we would be uncommonly Thy servants.

Amen.

Pledge of Allegiance to the Flag

Senator Holmes of District No. 12 led the Convention in the Pledge of Allegiance to the Flag.

Introduction of Guests

The Chair introduced a group of 7th and 8th grade students from Amherst school, courtesy of Mr. Bragdon of Amherst.

Reconsideration

Mr. Williamson of Goshen served notice that today, or some subsequent day, he would ask for reconsideration of HB 105, making town meeting day a legal holiday.

First and Second Reading of House Bills

HB 213, providing for the employment and salaries of professional personnel of the state board of education and of the institutions supervised by it (Loizeaux of Plymouth, Karkavelas of Dover and Weeks of Greenland) to Education.

HB 214, relative to the issuance of licenses for the operation of motor scooters (Angus of Claremont) to Transportation.

HB 215, relative to reimbursement of public assistance fund (Craig of Manchester) to Public Welfare and State Institutions.

HB 216, relative to services of supervisory unions (Chandler of Bartlett) to Education.

HB 217, relative to aid to permanently and totally disabled persons (Craig of Manchester) to Public Welfare and State Institutions.

HB 218, relative to employee wage rates on school district construction projects (Willey of Campton) to Public Works.

HB 219, relative to salary for the register of deeds for Cheshire county (Miskelly of Keene) to the Cheshire Delegation.

HB 220, relative to open season for taking raccoons (Anderson of Warren) to Fish and Game.

HB 221, relative to driving while under the influence of intoxicating liquors (Buckley of Mont Vernon) to Judiciary.

HB 222, regulating the provisions for selling and serving milk (Faulkner of Keene) to Public Health.

HB 223, relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income (Weeks of Greenland) to Education.

HB 224, relative to the Amherst school district (Deans of Milford) to Municipal and County Government.

HJR 19, making appropriation for the state house first aid room (Urie of New Hampton) to Appropriations.

Mr. Deans of Milford moved that printing of HB 224 be dispensed with.

The Clerk read the bill in full.

Mr. Deans of Milford spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Chandler of Bartlett moved that printing of HJR 19 be dispensed with.

The Clerk read the resolution in full.

On a *viva voce* vote the motion was adopted.

Committee Reports

Mr. Gay of Derry for the Committee on Banks, HB 119, relative to loans by credit union to its members. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Gay of Derry for the Committee on Banks, HB 133, relative to certain deposit accounts in savings banks. Ought to pass with amendment.

Amend the bill by striking out the subdivision "Bonus Account Deposits, sections 386:48, 386:49 and 386:50" inclusive, as inserted by section 1.

Amend section 386:53 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

386:53 Rate and Computation. Additional dividends on special notice account deposits shall be at such rate, not less than one-eighth nor more than one-half of one per cent per annum, as the trustees shall determine. If not withdrawn, additional dividends on special notice account deposits shall be treated as deposits added to the account upon which declared and, in computing the dividend next following, shall be considered as having been on deposit for the preceding dividend period.

Further amend section 1 of the bill by renumbering sections 386:51, 386:52 and 386:53 to read 386:48, 386:49 and 386:50.

The Clerk read the amendment in full.

At the request of Mrs. Frizzell of Charlestown, Mr. Bigelow of Warner explained the amendment.

(discussion ensued)

Mr. Bowles of Portsmouth moved that House Bill No. 133 be recommitted to the committee on Banks for further study and spoke in favor of the motion.

Mr. Bigelow of Warner spoke against the motion.

On a *viva voce* vote the motion to recommit was lost.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Burrill of Littleton for the Committee on Executive Departments and Administration, HB 58, establishing a division of records management and archives. Ought to pass, and the bill was referred to the committee on Appropriations under the rules.

Mr. Bowles of Portsmouth for the Committee on Executive Departments and Administration, HB 70, providing for the training of fire fighters. Ought to pass with amendment.

Amend RSA 154-A:3, as inserted by section 1 of said bill, by striking out said section.

Further amend said bill by striking out RSA 154-A:4, as inserted by section 1 of said bill, and by renumbering said section and inserting in place thereof the following:

154-A:3 Division of State. The state board of education and the state board of fire control shall divide the state into not more than fifty districts for the purposes of this act. Each district shall be entitled to send one representative to the training program each year. Each such representative shall be paid the sum of one hundred dollars for his attendance at the institute. The district representatives after receiving instruction at the institute will be directed to conduct training programs for fire fighters in their respective districts. For organizing and conducting training programs at the district level each representative shall receive the sum of ten dollars for each evening.

Amend RSA 154-A:5, as inserted by section 1 of said bill, by renumbering said section to read 154-A:4.

Amend RSA 154-A:6, as inserted by section 1 of said bill, by striking out said section, by renumbering and inserting in place thereof the following:

154-A:5 Administration. All sums appropriated by the state for this program, together with any federal funds received, shall be expended by the state board of education in conjunction with the state board of fire control with the approval of

governor and council. Such expenditures shall be for the purposes hereof and may be paid over in whole or in part to the University of New Hampshire, department of extension courses. In such event said department shall maintain the funds in a separate account from which account it shall make payments incurred in the administration of this chapter including but not limited to payments to district representatives for conducting district training programs.

On a *viva voce* vote the amendment was adopted, and the bill was referred to Appropriations.

Mr. Healy of Manchester for the Committee on Judiciary, HJR 12, providing for taking the sense of the legal voters of the state on the question of calling a constitutional convention. Inexpedient to legislate.

Miss Collyer of Lisbon moved that the words, Ought to Pass, be substituted for the report of the committee, Inexpedient to Legislate, and spoke in favor of the motion.

On a *viva voce* vote the motion was lost and the resolution of the committee was adopted.

Mr. Pickering of Hancock for the Committee on Municipal and County Government, HB 126, authorizing selectmen and city councils to lay out limited access highways. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Gowing of Dublin for the Committee on Municipal and County Government, HB 177, legalizing the biennial election of 1960 in the town of New Ipswich. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Reconsideration

Mr. Williamson of Goshen moved that the House reconsider its vote whereby it voted HB 105, making town meeting day a legal holiday, inexpedient to legislate, and spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion was lost.

Reconsideration

Mr. Healy of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it voted Inexpedient to Legislate on HJR 12, and spoke against the motion.

On a *viva voce* vote the motion was lost.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Announcement

The Speaker announced that the flowers on the rostrum were to be sent to Mrs. Mary Ayer, former House member, who is at the McKerley Nursing Home in Concord.

Afternoon Session

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 133, relative to certain deposit accounts in savings banks.

HB 126, authorizing selectmen and city councils to lay out limited access highways.

HB 177, legalizing the biennial election of 1960 in the town of New Ipswich.

On motion of Mrs. Ainley of Manchester the House adjourned at 12:14 o'clock.

TUESDAY, FEBRUARY 21, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend John Chase Gregory, St. Paul's Episcopal Church, Lancaster, N. H., as follows:

In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

Almighty and Eternal God, the Creator and Preserver of all mankind, we stand before thee this day as humble servants, only men, having neither the wisdom nor the perception to always deliberate on things temporal with divine purpose and will; We beseech thee, O Lord, to have mercy upon us and to guide us by Thy indwelling spirit that this day we may have some new vision of thy truth and that through thy blessing the Legislature of this State may ordain for our governance only such things as please thee, to the glory of thy Name and the well-being of those whom we represent and serve.

And finally in the spirit of faith and trust in thee, O Lord, as thou hast made thyself known to us in Christ our Saviour, we join in one great voice in the Prayer our Lord taught saying —

Our Father, who art in heaven, Hallowed be thy Name. Thy kingdom come. Thy will be done, On earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, As we forgive those who trespass against us. And lead us not into temptation, But deliver us from evil. For thine is the kingdom, and the power, and the glory, for ever and ever. Amen.

The Grace of our Lord Jesus Christ, and the love of God, and the Fellowship of the Holy Ghost, be with us all evermore. Amen.

Pledge of Allegiance to the Flag

Mr. McCarthy of Laconia led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following groups as Guests of the House today:

A group of the Sullivan County Republican Youth Organization, courtesy of Mrs. DeLude of Unity and the Claremont Delegation.

Two Sunday School classes from the Congregational Church in Charlestown, courtesy of Mrs. Frizzell of Charlestown.

A group of Laconia students, courtesy of the Laconia Delegation.

A group from the Good Citizens Award winners, sponsored by the Daughters of the American Revolution of New Hampshire.

Leaves of Absence

Mr. Haseltine of Merrimack was granted a leave of absence for the week on account of important business.

Mr. Edwards of Antrim was granted an indefinite leave of absence on account of illness.

Mr. Boomhower of Franklin was granted leave of absence for the week on account of illness.

First and Second Readings of House Bills

HB 225, relative to state guarantee of mortgages on industrial buildings (Goode of Manchester and Chandler of Bartlett) to Banks.

HB 226, providing for a closed season on black bear (Fortier of Berlin, Ward 1) to Fish and Game.

HB 227, relative to the construction of a physical education building at the University of New Hampshire (Pillsbury of Manchester, Ward 2) to Education.

HB 228, relative to immunities of members of the national guard (Jenkins of New Castle) to Military and Veterans' Affairs.

HB 229, for the acquisition of the Adams property in Durham for development of wildlife management area (Messrs. Bevan of Durham, Heald of Durham and Littlehale of Durham) to Resources, Recreation and Development.

HB 230, relative to liability for education of children in foster homes (Deming of Danville) to Education.

HB 231, relative to the salary of the justice of Northumberland municipal court (Mrs. Potter of Northumberland and Bushey of Northumberland) to Municipal and County Government.

HB 232, relating to the liability of landowners (Converse of Pittsburg) to Judiciary.

HB 233, pertaining to taxation of fallout shelters (Bingham of Concord) to Municipal and County Government.

HB 234, prohibiting solicitations from candidates for election (Miskelly of Keene) to Judiciary.

HB 235, to include wild animals with respect to open seasons (Vashaw of Berlin and Fortier of Berlin) to Fish and Game.

HB 236, relative to qualifications for board of assessors for the city of Rochester (Clement of Rochester) to the Rochester Delegation.

HB 237, relative to cooperative school district incentive aid (O'Neil of Chesterfield) to Education.

HB 238, authorizing the purchase of life and health insurance by towns for town employees (Bartlett of Goffstown) to Municipal and County Government.

HB 239, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Berlin and their dependents (Desilets of Berlin) to Municipal and County Government.

HB 240, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Laconia and their dependents (Normandin of Laconia and Dulac of Laconia) to Municipal and County Government.

HB 241, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of

Claremont and their dependents (Desnoyer of Claremont) to Municipal and County Government.

HB 242, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Concord and their dependents (Hancock of Concord) to Municipal and County Government.

HB 243, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Portsmouth and their dependents (Keefe of Portsmouth) to Municipal and County Government.

HB 244, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Lebanon and their dependents (Coutermarsh and Miss Whipple of Lebanon) to Municipal and County Government.

HB 245, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Manchester and their dependents (Craig of Manchester) to Municipal and County Government.

HB 246, relative to absentee voting (Mrs. Frizzell of Charlestown) to Executive Departments and Administration.

HB 247, relative to sale of real estate for non-payment of taxes (Carpenter of Henniker) to Ways and Means.

HB 248, to provide for a surcharge on the sale of liquors to assist county finance (Grimes of Dover) to Ways and Means.

HB 249, relative to financing of insurance agents (Kretowicz of Keene) to Insurance.

HB 250, relative to certain insurance companies engaging in other business (Kretowicz of Keene) to Insurance.

HB 251, prohibiting hunting on Wednesday (Kurth of Tuftonboro) to Fish and Game.

HB 252, relative to driving deer (Kurth of Tuftonboro) to Fish and Game.

HB 253, relative to premium charges to debtors for group credit life and accident and health insurance (Hancock of Concord) to Insurance.

HB 254, relating to sale of horses for slaughter (Murch of Portsmouth) to Public Health.

HB 255, relative to care of railroad right of ways (Chandler of Bartlett) to Transportation.

Committee Reports

Mr. Adams of Madbury for the Committee on Agriculture, HJR 13, authorizing a study of the operation of the milk control act. Ought to pass.

The Chair referred the resolution to the committee on Appropriations under the Rules.

Mr. Clark of Lee for the Committee on Executive Departments and Administration, HB 10, prohibiting the sale of certain flammable liquids in glass containers. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Bowles of Portsmouth for the Committee on Executive Departments and Administration, HB 113, relative to the operation of the Forest Hills Hotel in Franconia by the Trustees of the University of New Hampshire. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Carmen of Manchester for the Committee on Judiciary, SB 20, relative to liability for support in certain cases. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Collishaw of Exeter for the Committee on Liquor Laws, HB 102, relative to the sale of bottled alcoholic beverages. Inexpedient to legislate.

Mrs. Frizzell of Charlestown spoke against the resolution of the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Collishaw of Exeter for the Committee on Liquor Laws, HB 160, relative to the sale of bottled liquor. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Downing of Newport for the Committee on Public Works, HB 103, naming The Walter Swett Memorial Drive. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Fortier of Berlin for the Committee on Public Works, HB 14, relative to disposal of papers belonging to the department of public works and highways. Ought to pass.

At the request of Mr. Pillsbury of Manchester, Mr. Galloway of Walpole explained the bill.

(discussion ensued)

Mr. Pillsbury of Manchester moved that House Bill No. 14 be made a Special Order of business for Thursday next at 11:01 o'clock and spoke in favor of the motion.

Mr. Galloway of Walpole explained the bill.

(discussion ensued)

At the request of Mr. Angus of Claremont, Mr. Plumer of Bristol explained the bill and spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion for a Special Order was not adopted and the bill was ordered to a third reading.

Mr. Mulaire of Hooksett for the Committee on Public Works, SB 12, relative to the classification of a highway in the city of Lebanon. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Stonemetz of Dover for the Committee on Appropriations, HB 1, relative to state advertising. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Goode of Manchester for the Committee on Appropriations, HB 34, providing for the publication of the commercial code as a part of the Revised Statutes Annotated. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vaughan of Newport for the Committee on Appropriations, HB 114, providing additional retirement allowances for certain retired teachers. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Goode of Manchester for the Committee on Appropriations, HJR 4, relative to funds for the Eastern New Hampshire Turnpike. Ought to pass.

On a *viva voce* vote the resolution was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HJR 7, to provide increased funds for geologic surveying. Ought to pass.

The Chair referred the House Joint Resolution to the committee on Appropriations under the Rules.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 122, relating to the protection of public water supply sources. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Waterhouse of Windham for the Committee on Ways and Means, HB 79, relative to pari mutuel pools at horse races. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Kearns of Manchester for the Committee on Ways and Means, HB 112, to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission. Inexpedient to legislate.

Mr. Thompson of Effingham moved that the words, Ought to Pass, be substituted for the report of the committee, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Kearns of Manchester moved that further consideration of HB 112 be Indefinitely Postponed and spoke in favor of the motion.

Messrs. MacIsaac of Laconia, White of Derry and Mrs. Potter of Northumberland spoke against the motion.

Mr. Bevan of Durham and Mrs. Taylor of Whitefield spoke in favor of the motion.

Recess

After Recess

The question is on the motion to indefinitely postpone HB 112.

Mr. Plourde of Pembroke spoke against the motion.

Mr. Coutermarsh of Lebanon spoke in favor of the motion.

(discussion ensued)

Messrs. Nickerson of Goffstown, Rosedorff of Nashua, Allen of Concord, Pickett of Keene and Miss Collyer of Lisbon spoke against the motion.

Messrs. Plumer of Bristol, Waterhouse of Windham and Sheridan of Berlin spoke in favor of the motion.

(discussion ensued)

Mr. Chandler of Bartlett spoke in favor of the motion.

Mrs. Potter of Northumberland spoke a second time against the motion.

Mr. Hambleton of Goffstown moved the Previous Question and it was sufficiently seconded.

Mrs. Potter of Northumberland demanded the Yeas and Nays.

The roll having been called as follows:

YEAS — 236

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Converse, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Spollett of Chester, Scott of Deerfield, Collishaw, East-

man of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Casassa, Hunter, Shepard, Jenkins, Cheney, Palmer, Bowles, Murch, Stafford, Ingraham, Carkin, Langford, Greene of Rye, Magoon, Peever, Felch, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Wiggin of Dover, Fellows, Stonemetz, Colbath, Richardson, Bevan, Heald, Littlehale, Reid, Rolfe, Marsan, Maxfield, Watson of Rochester, Potvin, St. Pierre, Johnson of Rochester, Clement, Varney, Green of Rollinsford, Maloomian, Cormier, Littlefield.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Lord, Robertson, Lacaille, McCarthy, Prescott, Allen of Meredith, Smith, Joslyn.

CARROLL COUNTY: Chandler of Bartlett, Hill of Conway, Brown of Sandwich, Nickerson of Tamworth, Fox, Claflin.

MERRIMACK COUNTY: Phelps, Keneval, Moore, Hutchinson, Davis of Concord, Henry, Gibson, Hancock, Bingham, Lovejoy, Peaslee, Quinn, Sanders, Barnard, Gove, Newell of Concord, Rufo, McKay, Stevens, Gilman of Franklin, Charland. Brewster, Tarrant, Keith.

HILLSBOROUGH COUNTY: Bragdon, Wiggin of Bedford, Bartlett, Hambleton, Jennings of Goffstown, Taft, Pickering, Warren, Ainley, Lang, Pettigrew, Carmen, Geisel, Pillsbury, Bruton, Hart, Martel, Cullity, Nolan, Linehan, Manning, Szelog Walsh, Casey, Dupont, Leclerc, Plante, Compagne, Cote, Delisle, Healy of Manchester, ward 8, Morris, Bergeron, Kearns, Hurley, Roche, Levasseur, Nalette, Chapdelaine, Daniel of Manchester, Lesmerises, Deans, Hayward of Milford, Buckley, Cole, Cooper, Milliken, Underhill, Dionne of Nashua, ward 2, Rosedoff, Kirkorian, Brosnahan, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Chartrain, Bouley, Grandmaison, Sablusi, Locke, Peabody, Peterson, Rice, Willard, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Stearns, McCullough, Parker, Bennett, Brown of Keene, Miskelly, Allen of Rindge, Hackler, Congdon, Ballam, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Angus, Campbell,

Nahill, Williamson, Bailey, Downing, Rowell, Vaughan, Merrifield, Delude.

GRAFTON COUNTY: Gilbert, Plumer, Willey, Chandler of Canaan, Gage, Bowler, Hayward of Hanover, Low, Neale, Lamott, Larty, Adams of Lebanon, Coutermarsh, Demers, Porter, Whipple, Burrill, Martin, Haskins, Cushman, Bell, Loizeaux, Barney, Avery, Anderson.

NAYS — 136

COOS COUNTY: Fontaine, Gagnon, Ledoux, Marsh, Oakes, Potter of Milan, Bushey, Potter of Northumberland, Brooks, Stinson.

ROCKINGHAM COUNTY: Deming, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Clark of Kingston, Hislop, Sewall, Twardus, Carter, Pinkham, McDaniel, Driscoll, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, ward 4, White of Portsmouth, ward 5, Cross.

STRAFFORD COUNTY: Grimes, O'York, Flanagan, Drew, Clark of Lee, Adams of Madbury, Habel, Wyatt.

BELKNAP COUNTY: Matheson, Harkins, Normandin, Stothart, Dulac, O'Shan, Jones, MacIsaac, Urie, Howe.

CARROLL COUNTY: Davis of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Kurth, Chamberlain.

MERRIMACK COUNTY: Hanson, Asby, Allen of Concord, York, Maxham, Welch, Jennings of Concord, Brown of Danbury, Daniell of Franklin, Dempsey, Carpenter, Broek, Mulair, Brown of Loudon, London, Thompson of Northfield, Plourde, Thibeault, Bigelow.

HILLSBOROUGH COUNTY: Aucella, Farwell, Nickerson of Goffstown, Eaton, Brocklebank, Claveau, Gallagher, Provençal, Soucy, Goode, Clancy, O'Conner, LaFrance, Tessier, Craig, Belanger, King, Noel, Dumas, Lemay, Allard, Rousseau, Crowley, Gamache, Vachon, Falconer, Boisvert, Mason, Bissonnette, Lavallee, Bouthillier, Karnis.

CHESHIRE COUNTY: Clark of Harrisville, Cournoyer, Desmarais, Haley, Keating, Terrill, Kretowicz, Pickett, Oliver.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Barrows, D'Amante, Desnoyer, Guest, Weber, Spalding.

GRAFTON COUNTY: Paquette, Stevenson, Morse, Johnson of Franconia, Karsten, Beard, Collyer, Hill of Littleton, Kinghorn, Bradley, Berringer.

Pairs

Mr. Ecker of Manchester voting Yes paired with Mr. Belcourt of Nashua voting No.

236 members having voted in the affirmative and 136 members having voted in the negative, the motion to Indefinitely Postpone prevailed.

Committee Reports cont.

Mr. Hill of Conway for the Committee on Ways and Means, H.B. 152, relative to collection of taxes on real estate when such sale is of less than the whole estate. Ought to pass.

At the request of Mr. King of Manchester, Mr. Chandler of Bartlett explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate bills:

HB 5, relative to reports of inquests by medical referees.

HB 39, providing for forfeiture of fish or wild animals illegally imported into this state.

HB 44, relative to forfeiture of fish and game not legally possessed.

HB 61, changing the name of Union Insurance Company of America, Inc.

SB 22, relating to eminent domain proceedings by housing authorities.

Senate Messages

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 30, relative to qualifications for the serving of liquor or beverages.

SB 46, relative to assessment of taxes.

SB 43, relative to overpayment of income taxes.

SB 29, relating to authority of the fish and game director to control porcupines in remote areas.

SB 44, relating to devises and bequests to trusts.

Senate Bills Read and Referred

The following Senate Bills were read a first and second time and referred as follows:

SB 44 to Judiciary

SB 29 to Fish and Game

SB 30 to Liquor Laws

SB 43 to Ways and Means

SB 46 to Ways and Means

A further Senate message announced that

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 61, changing the name of Union Insurance Company of America, Inc.

HB 5, relative to reports of inquests by medical referees.

HB 54, designating the house of correction in Rockingham county as a jail.

HB 83, relative to the salary of the justice of the Concord municipal court.

HB 84, relative to the salary of the special justice of the Concord municipal court.

A further Senate message announced that

The Senate concurs with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HJR 6, Joint Resolution for appropriation for carrying out provisions relative to regional agreements for educational facilities for New Hampshire residents. Ought to pass with amendment.

Amend said bill in the thirteenth line by inserting after the word governor, the words, and council; so that said bill as amended shall read as follows:

That there are hereby appropriated the sum of fifty thousand dollars for the fiscal year ending June 30, 1962, and a like sum for the fiscal year ending June 30, 1963, for the purpose of carrying out the provisions providing for extension of educational facilities for New Hampshire residents under regional agreements as executed and approved by the New England Board of Higher Education under the provisions of RSA 200-A (supp) as inserted by 1955, 232, and amended by 1959, 214:1. The New Hampshire members of the New England Board of Higher Education shall constitute a committee to administer and recommend the expenditure of these appropriations with regard to the number of students for which assistance shall be given and the amount of assistance to each student, subject to the approval of the governor and council. The sums hereby appropriated shall be a continuing appropriation and shall not lapse. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Mr. King of Manchester moved that the House non-concur in the Senate amendment and requested that a committee of conference be appointed.

Mr. Goode of Manchester spoke in favor of the motion.

(discussion ensued)

Mr. King of Manchester spoke in favor of the motion.

(discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and the Chair appointed the following members on the conference committee on the part of the House: Mr. Clement of Rochester, Mrs. Frizzell of Charlestown and Mr. King of Manchester.

On motion of Mr. Pickett of Keene, the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only, third reading of Joint Resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 9:00 o'clock.

Third Reading of Bills

The following House Bills and House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence:

HB 1, relative to state advertising.

HB 34, providing for the publication of the commercial code as a part of the Revised Statutes.

HB 114, providing additional retirement allowances for certain retired teachers.

HJR 4, relative to funds for the Eastern New Hampshire Turnpike.

HB 113, relative to the operation of the Forest Hills Hotel in Franconia by the Trustees of the University of New Hampshire.

HB 103, naming The Walter Swett Memorial Drive.

HB 14, relative to disposal of papers belonging to the department of public works and highways.

HB 122, relating to the protection of public water sources.

HB 79, relative to *pari mutuel* pools at horse races.

HB 152, relative to collection of taxes on real estate when such sale is of less than the whole estate.

The following Senate Bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 20, relative to liability for support in certain cases.

SB 12, relative to the classification of a highway in the city of Lebanon.

On motion of Miss Cole of Nashua the House adjourned at 3:12 o'clock.

WEDNESDAY, FEBRUARY 22, 1961

The House met at 9:00 o'clock.

Prayer was offered by the Chaplain as follows:

We pause at the opening of our morning prayer to pay tribute to the Honorable James E. McCullough of Keene who was taken from our midst yesterday. We rejoice in the fellowship we have enjoyed with this thoughtful, respected and loved man, and we are mindful of his loved ones in this hour.

"Labour to keep alive in your breast that little spark of celestial fire,—conscience." This we find in George Washington's schoolboy copy-book. It was of conscience that the prophets of old did speak. It was in the cause of conscience that religious and patriotic martyrs gave their lives in years past that the light of the world might be seen and that men might walk in the footsteps of God.

It mattered, but it mattered not enough that thereby popularity and possessions must be jeopardized. It mattered most that they did what they must, though they stood alone.

We pray that we may have the courage of our own convictions in our hours of decision-making.

Amen.

Pledge of Allegiance to the Flag

Mr. Desnoyer of Claremont led the House in the Pledge of Allegiance to the Flag.

Leaves of Absence

Mrs. Carey of Manchester was granted leave of absence for two weeks on account of important business.

Mr. Hart of Manchester was granted leave of absence for today and tomorrow on account of important business.

Mr. Pickett of Keene extended brief remarks to commemorate Washington's birthday.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, and that when the House adjourns today it be in honor of the memory of George Washington, and to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

On motion of Mr. Deans of Milford the House adjourned at 9:30 in honor of the memory of George Washington.

THURSDAY, FEBRUARY 23, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

Father of us all, rest Thy hand on our shoulders as we meet in Thy name for the service of Thy people. Send us on our work knowing that Thy spirit dost accompany us and that we are never alone or apart from Thee. Let our moments of inspiration and vision when Thou did appear most clearly to us nurture us in our daily work. When the day is closed, may it be that we shall again commune with Thee and find ourselves whole and clean, yet with a creative discontent born out of a day of honest strivings and sincere endeavors.

Amen.

Pledge of Allegiance to the Flag

Mrs. Davis of Conway led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group of 4 H Club members from New London, courtesy of Mr. London of New London.

Two groups of Girl Scouts from St. Pius 10th Parish and 1st Methodist Church of Manchester, courtesy of the Manchester Delegation.

Leaves of Absence

Messrs. Gamache of Manchester and Keith of Sutton were granted leave of absence for the day on account of important business.

Mr. Asby of Canterbury was granted an indefinite leave of absence on account of important business.

First and Second Readings of House Bills

HB 256, relative to technical institutes and vocational-technical schools (Pillsbury of Manchester) to Education.

HB 257, establishing a police commission for the city of Franklin (Charland of Franklin) to the Franklin Delegation.

HB 258, relative to the personnel advisory board of the city of Portsmouth (Keefe of Portsmouth) to the Portsmouth Delegation.

HB 259, relative to the election of county commissioners for Merrimack county (Charland of Franklin) to the Merrimack County Delegation.

HB 260, relative to damage to game (Vashaw of Berlin and Fortier of Berlin) to Fish and Game.

HB 261, relative to use of poisons for the control of certain birds (Hanson of Bow) to Fish and Game.

HB 262, relative to disposal of lumber slash (Moore of Bradford) to Resources, Recreation and Development.

HB 263, relative to the fire department of the city of Franklin and to salary of the city treasurer (Boomhower of

Franklin, Daniell, Jr. of Franklin, Gilman of Franklin, Charland of Franklin and Dempsey of Franklin) to the Franklin Delegation.

HB 264, relating to constitutional conventions (Loizeaux of Plymouth) to Judiciary.

HB 265, providing penalties for illegal operation of boats (Converse of Pittsburg) to Executive Departments and Administration.

HB 266, to operation of motor boats on Little Diamond Pond (Brooks of Stewartstown, Marsh of Colebrook and Converse of Pittsburg) to Resources, Recreation and Development.

HB 267, relative to aircraft service operator certificate (Coutermarsh of Lebanon and Pickett of Keene) to Aviation.

HB 268, relating to community antenna television systems (Angus of Claremont) to Judiciary.

HB 269, relative to financing industrial waste treatment facilities (Urie of New Hampton, Allen of Concord and McGee of Lincoln) to Municipal and County Government.

Committee Reports

Mrs. Demers of Lebanon for the Committee on Education, HB 76, providing for transportation aid to school districts. Ought to pass.

Mr. MacIsaac of Laconia moved that House Bill No. 76 be indefinitely postponed and spoke in favor of the motion.

Messrs. Goode of Manchester and Gilman of Farmington spoke in favor of the motion.

Messrs. Pillsbury of Manchester, Daniell of Franklin, O'Neil of Chesterfield and Mrs. Brown of Sandwich spoke against the motion.

(discussion ensued)

Messrs. Brewster of Pittsfield and Plumer of Bristol spoke in favor of the motion.

Mrs. Berry of Barrington and Mr. Kearns of Manchester spoke against the motion.

(discussion ensued)

Messrs. Vaughan of Newport and Coutermarsh of Lebanon spoke against the motion.

Mr. Hambleton of Goffstown moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

Mr. Willey of Campton requested a division vote.

The vote being manifestly in the negative the motion to indefinitely postpone was lost and HB 76 was referred to the committee on Appropriations under the Rules.

Mrs. Demers of Lebanon for the Committee on Education, SB 7, relative to educational assistance to the blind. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Demers of Lebanon for the Committee on Education, SB 8, relative to the Nesmith Trust Fund. Ought to pass.

SB 8 was referred to the committee on Appropriations under the Rules.

Mr. Gibson of Concord for the Committee on Finance, HJR 5, in favor of Harry L. Hurlbert. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 67, relative to taking beaver by the use of traps. Ought to pass with amendment.

Amend section 3 of the bill by striking out the words "sixty days after" and inserting in place thereof the word, upon, so that said section as amended shall read as follows: 3 Takes Effect. This act shall take effect upon its passage.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 69, relative to open season for the taking of beaver. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 66, relative to fish and game licenses for certain nonresident property owners. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 57, reducing the bounty on bobcat. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 71, providing for a bounty on wolves. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "or coy-dog" in the third, seventh and seventeenth lines; further amend by striking out the words "or Coy-dogs" in the fifth line, so that said section as amended shall read as follows: 1 Bounties. Amend RSA 470:5 by inserting after the word "lynx" where it occurs in the second and in the eleventh lines the words, or timber wolf, or prairie wolf, so that said section as amended shall read as follows: 470:5 Bobcats and Lynxes, Timber Wolves, Prairie Wolves. Any person who shall kill in this state any wildcat of the species known as bobcat, or lynx, or timber wolf, or prairie wolf, may deliver the carcass thereof, in the same condition as when killed, to any conservation officer or the director, with a sworn statement that it was killed in this state within forty-eight hours, and giving the date and place of the killing thereof, and upon request, shall accompany the conservation officer to the precise spot where the same was killed. Said conservation officer shall thereupon report to the director, who, being satisfied that the same was killed in this state, shall certify the killing to the governor. The governor is hereby authorized to draw his warrant upon the fish and game fund for the payment of twenty dollars for each bobcat or lynx, or timber wolf, or prairie wolf so killed, reported and certified. The ears of such animal shall be punched by said conservation officer with a punch to be furnished to him for the purpose by the director. If the animal is a lynx, the carcass with the pelt thereon shall be returned to its killer. If the animal is a bobcat, the officer shall cause the skin to be removed from the carcass and shall forward the skin to the director. The director

shall sell such skins and return all moneys received therefor to the state treasurer to be credited to the fish and game fund.

Mr. Converse of Pittsburg moved that the rules of the House be so far suspended as to dispense with the reading of the amendment.

On a *viva voce* vote the motion was adopted.

Mr. Converse of Pittsburg explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Finance under the rules.

Mr. Perrault of Berlin for the Committee on Insurance, HB 128, establishing the unauthorized insurers false advertising process act. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Willey of Campton for the Committee on Public Works, HB 137, extending the time during which an act relative to a certain bridge over the Merrimack river shall be effective. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Claffin of Wolfeboro for the Committee on Transportation, HB 15, relative to transportation of cylinders of liquefied petroleum gas. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relative to transportation of cylinders of liquefied petroleum gas.

Further amend the bill by striking out section 1 and inserting in place thereof the following:

1 Operation of Vehicles. Amend RSA 263:78 by striking out said section and inserting in place thereof the following: 263:78 Inflammable Liquids and Cylinders of Liquefied Petroleum Gas. Every vehicle used for the transportation of inflammable liquids in cargo tanks, whether loaded or empty, or for the transportation of cylinders of liquefied petroleum

gas shall, upon approaching any railroad grade crossing, be brought to a full stop not more than fifty feet and not less than fifteen feet from the nearest rail of such grade crossing, and shall not proceed until due caution has been taken to ascertain that the course is clear, except that a full stop need not be made at:

(1) A streetcar crossing within a business or residence district of a municipality;

(2) A railroad grade crossing where a police officer or a traffic control signal (not a railroad flashing signal) directs traffic to proceed;

(3) An abandoned or exempted grade crossing which is clearly marked as such by or with the consent of the proper state authority, when such marking can be read from the driver's position.

The term "cylinders of liquefied petroleum gas," as used in this section, shall not be deemed to include the following:

(1) portable jugs of the nature used by tradesmen such as steam-fitters, painters, plumbers, etc., or (2) bottled gas cylinders when attached to house trailers in transit. Any person convicted of a violation of any provision of this section shall be fined not more than fifty dollars for the first offense, and not more than two hundred dollars for any subsequent offense committed during any calendar year, and for such conviction hereunder the commissioner may revoke his license to operate a motor vehicle and no new license shall be issued to such person for at least ninety days after the date of such revocation.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. White of Portsmouth, Ward 5, for the Committee consisting of the members from the city of Portsmouth, HB 101, to amend the charter of the city of Portsmouth. Inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Report of Committee on Engrossed Bills

Mrs. Kinghorn of Piermont for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 54, designating the house of correction in Rockingham County as a jail.

HB 83, relative to the salary of the justice of the Concord Municipal Court.

HB 84, relative to the salary of the special justice of the Concord municipal court.

SB 12, relative to classification of a highway in the city of Lebanon.

SB 20, relative to liability for support in certain cases.

Senate Messages

The Senate has passed the following concurrent resolutions, in the passage of which it asks the concurrence of the House of Representatives:

Whereas, The year 1961 marks the centennial of the completion of the Mount Washington Carriage Road; and

Whereas, This unique eight-mile carriage and auto route to the top of our highest peak was built under charter granted by the General Court of New Hampshire on June 27, 1859; and

Whereas, A year-long series of events commemorating this anniversary has already started; now therefore be it

Resolved, That the New Hampshire General Court honor the foresight and industry of those pioneers who constructed the historic road to the summit to Mount Washington; and be it further

Resolved, That the General Court enthusiastically supports the current observance of the centennial anniversary of the Mount Washington Carriage Road.

On a *viva voce* vote the concurrent resolution was adopted.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Whereas, the textile industry is an important part in the economic life of New Hampshire; and

Whereas, foreign competition is one of the factors adversely affecting this industry and the economy of this state; and

Whereas, the United States Senate textile subcommittee has recently been holding hearings relative to this question; and

Whereas, the Governor of New Hampshire, as chairman of the New England Governors' Conference, and all other New England Governors have been diligent in the effort to find a solution to this vital problem, now, therefore be it

Resolved that the General Court of the State of New Hampshire requests its congressional delegation to support and work for all possible and necessary legislation and regulations to control textile imports which are adversely affecting the textile industry in this country; and, be it further

Resolved that the Secretary of State transmit copies of this concurrent resolution to the President of the United States, Senators Styles Bridges and Norris Cotton of the Senate of the United States, and the Hon. Perkins Bass and the Hon. Chester Merrow.

The concurrent resolution was referred to the committee on Labor.

Resolutions

Mr. Angus of Claremont offered the following resolution:

Resolved, That the chorus of the Laconia State School be invited to sing to the House of Representatives at the session on Tuesday, February 28 at 11:01 o'clock.

On a *viva voce* vote the resolution was adopted.

Messrs. Plourde and Thibeault of Pembroke offered the following resolutions:

Whereas, Mrs. Amanda Guilbeault, wife of Narcisse V. Guilbeault, representative from Allenstown, has passed away, therefore be it

Resolved, That We, the Members of the House of Representatives of the General Court of New Hampshire, hereby express our deep sympathy to our Fellow Member in his bereavement, and be it further

Resolved, That a copy of these Resolutions be transmitted to Representative Guilbeault by the Clerk of the House.

On a *viva voce* vote the resolutions were adopted.

Mr. Clement of Rochester and Mr. King of Manchester for the committee on Appropriations and Mr. Bennett of Keene for the Cheshire County Delegation offered the following resolutions which were reverently read by the Speaker:

A Tribute in Memory of James E. McCullough of Keene

We pause to consider the death of a distinguished member of this House who succumbed in the service of his state while engaged in the execution of his duties on the Committee on Appropriations.

In paying tribute to our distinguished member we wish to bear witness to his character and pay a small measure of tribute to his sacrifice and to his contributions. In the emotions of such an announcement we respectfully audit the virtues of this gentleman of marked character and of pronounced qualities of distinction. We recognize an unsullied purity in his private life, the tragic loss of his wife, his inflexible integrity in his legislative conduct, his condensed energy in his conservatism, his mathematical quickness of perception, his vigor of deduction, his wholesomeness of deportment and his genuine and steadfast belief in the democratic processes, all of which made up his character.

His contributions to our infinity of members chosen from the most varied natures and composition stand out as distinctive. In our small, intimate and prolonged meetings we are all of us personal friends, and coming as we do from divers walks of life we all recognized the sound and deliberate contributions he made to our deliberations. In our special fields of interest, we respected his honest and affirmative conservatism and his philosophy and experience.

The loss of James E. McCullough creates a gap that is irreplaceable to the state which he loved and to his beloved Keene which was his especial concern. And when we adjourn by motion of his friend, may we do so in memory of one who, loyal to his beliefs and motivated only by the best interests and welfare of his state, died in its service.

After one minute of silent prayer the resolutions were unanimously adopted.

The Chair appointed the following members as a committee to attend Mr. McCullough's funeral: Mr. Miskelley of Keene for the Appropriations committee. Messrs. Allen of Rindge, O'Neil of Chesterfield and Haley and Pickett of Keene for the Cheshire County Delegation.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only and house joint resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Third Reading

The following House Bills and House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence:

HJR 5, in favor of Harry L. Hurlbert.

HB 128, establishing the unauthorized insurers false advertising process act.

HB 67, relative to taking beaver by the use of traps.

HB 137, extending the time during which an act relative to a certain bridge over the Merrimack river shall be effective.

HB 15, relative to transportation of cylinders of liquefied petroleum gas.

SB 7, relative to educational assistance to the blind, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Cooper of Nashua the House adjourned in memory of James E. McCullough at 1:01 o'clock.

TUESDAY, FEBRUARY 28, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend William Dearman, Associate Rector of Grace Church, Manchester, as follows:

Most gracious God, by whom the meek are guided in judgment, Grant us in all our doubts and uncertainties the grace to ask what thou wouldest have us to do. We humbly beseech thee, as for the people of these United States in general, so especially for their representatives now assembled. Bless and guide the Legislature of this State and may the Spirit of Wisdom save it from all false choices. We pray that thou wouldst be pleased to direct and prosper all their consultations to the advancement of thy Glory and the safety, honour and welfare of thy people. Amen.

Pledge of Allegiance to the Flag

Mr. Wyatt of Strafford led the Convention in the Pledge of Allegiance to the Flag.

Introduction of a Guest by the Speaker

We are pleased to have with us this morning the Superintendent of the Laconia State School, a man who has spent his entire career in helping to elevate the standards of New Hampshire education.

He has now taken on the direction, administration and programming of one of our most important institutions, the Laconia State School.

As a former pupil of this distinguished gentleman, it gives me a great deal of pleasure to introduce Arthur Toll of Laconia.

Mr. Toll introduced a chorus from the Laconia State School who rendered several musical selections to the Joint Convention.

On motion of Senator Gardner of District No. 6 the Convention rose.

House**Introduction of Guests**

The Chair introduced a group from Austin-Cate Academy of Strafford, courtesy of Mr. Wyatt of Strafford.

Leaves of Absence

Mr. Boomhower of Franklin was granted an indefinite leave of absence on account of illness.

Mr. Pinkham of Northwood was granted leave of absence for the day on account of important business.

Mr. Bevan of Durham was granted leave of absence for the day on account of illness.

Mr. Green of Rollinsford was granted leave of absence for a month on account of illness.

Messrs. MacIsaac of Laconia and Gilman of Farmington were granted leave of absence for the week on account of important business.

First and Second Reading of House Bills

HB 270, relative to motor vehicle registration and license fees (Goode of Manchester and Chandler of Bartlett) to Ways and Means.

HB 271, relative to repair of Bedell Bridge by the town of Haverhill (Larty of Haverhill) to Public Works.

HB 272, relative to the purchase of intoxicating beverages (Marsan of Rochester) to Liquor.

HB 273, relating to trust companies (Eastman of Exeter) to Banks.

HB 274, relative to the salaries of the mayor and board of aldermen of the city of Nashua (Pappagianis of Nashua) to Nashua Delegation.

HB 275, to establish time and one-half for overtime work performed by state employees (Felch of Seabrook) to Labor.

HB 276, relative to purchase of milk for resale or manufacture (Hayward of Milford) to Agriculture.

HB 277, relative to grading, packing, shipping and sale of apples (Purington of Exeter) to Agriculture.

HB 278, to abolish the legislative council (Collyer of Lisbon) to Executive Departments and Administration.

HB 279, relative to supervisory unions and teacher consultants (Bevan of Durham) to Education.

HB 280, relative to a civil defense fire and rescue training center (Lord of Gilford and Bigelow of Warner) to Executive Departments and Administration.

HB 281, to repeal the real estate brokers licensing law (Dupont of Manchester, Ward 6) to Executive Departments and Administration.

HB 282, relative to the taxation of boats (Lord of Gilford) to Ways and Means.

HB 283, relative to motor vehicles parked on street or public parking areas (Gamache of Manchester, Ward 14) to Transportation.

HB 284, relating to reaching bank accounts by trustee process (Gove of Concord, Ward 7) to Judiciary.

HB 285, relative to improvement and maintenance of a section of highway and a bridge between Northumberland and Guildhall, Vermont (Bushey of Northumberland and Potter of Northumberland) to Public Works.

HB 286, relating to motor carriers of property (Henry of Concord, Ward 3) to Transportation.

HB 287, requiring registration for physical therapists (Rufo of Concord) to Public Health.

HB 288, relative to rules and regulations and permit fees for receiving stations for milk (Hayward of Milford) to Agriculture.

HB 289, relative to the budget message of the mayor of the city of Nashua (Pappagianis of Nashua) to the Nashua Delegation.

HB 290, to create a bank advisory board (Stevens of Epsom and Scott of Derry) to Banks.

HB 291, in relation to discharging firearms (Gove of Concord) to Judiciary.

HB 292, providing for improvement to highway in Jaffrey (Cournoyer of Jaffrey) to Public Works.

HB 293, relative to issue of bonds or notes by a school district (Willey of Campton) to Ways and Means.

HB 294, increasing mileage allowances for state employees (Twardus of Newmarket) to Appropriations and Finance.

HB 295, relative to future water supplies for the city of Manchester (King of Manchester and Kearns of Manchester) to the Manchester Delegation.

HB 296, relative to interest charges on home mortgage loans (Hancock of Concord) to Banks.

HB 297, relative to school buses (Urie of New Hampton and Brown of Sandwich) to Transportation.

HB 298, to limit the period for which past-due support of institutional inmates may be recovered and the rate for support of inmates at Laconia State School (Hayward of Hanover) to Public Welfare and State Institutions.

HB 299, relative to daylight saving time (Hayward of Hanover) to Judiciary.

HB 300, relating to regulation of small loans (Ecker of Manchester) to Banks.

HB 301, relative to salaries of members of the Manchester finance commission (Hart of Manchester, Ward 3) to the Manchester Delegation.

HB 302, relative to the salaries of the members of the school committee of the city of Manchester (Hart of Manchester, Ward 3) to the Manchester Delegation.

HB 303, relating to disclosure of finance charges in connection with extension of credit (Hancock of Concord) to Banks.

HB 304, relative to term of office and salary of the mayor of the city of Manchester (Hart of Manchester, Ward 3) to the Manchester Delegation.

HB 305, relative to the salaries of the aldermen of the city

of Manchester (Hart of Manchester, Ward 3) to the Manchester Delegation.

HB 306, to close Stonehouse pond in Barrington to power boats (Berry of Barrington) to Resources, Recreation and Development.

HB 307, relative to withdrawal of the state from the interstate compact on mental health (Collyer of Lisbon) to Public Welfare and State Institutions.

HB 308, relative to released time for music instruction (Berry of Barrington) to Education.

HB 309, relative to the awarding of prizes by life insurance companies (Hancock of Concord) to Insurance.

HB 310, relative to the age of children brought before a juvenile court (McCullough of Keene, Ward 2) to Judiciary.

HB 311, to permit the waiver of hearings before the public utilities commission when all parties are in agreement (Henry of Concord, Ward 3) to Judiciary.

HB 312, relating to holidays (Burrill of Littleton) to Judiciary.

HJR 20, relative to equipment for Hampton beach (Hunter of Hampton) to Appropriations.

HJR 21, providing for an appropriation for Glenduff sanatorium (Collyer of Lisbon) to Public Welfare and State Institutions.

HJR 22, in favor of Florence Pushee (Haskins of Lyme) to Finance.

Committee Reports

(Mr. Pickett of Keene in the Chair)

Mr. Gilman of Franklin for the Committee on Municipal and County Government, HB 135, requiring county commissioners to obtain written authority from executive committee for appropriations transfers. Inexpedient to legislate.

Mr. Urie of New Hampton moved that HB 135 be recommended to the committee on Municipal and County Government for further study and spoke in favor of the motion.

Mr. Deans of Milford spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and HB 135 was recommitted to the committee on Municipal and County Government.

Mr. Daniel of Manchester for the Committee on Military and Veterans Affairs, HB 206, relating to the construction of state armories. Ought to pass with amendment.

Amend the bill by inserting after section 6 a new section to read as follows:

7 Authorization for sale. The Governor and council are hereby authorized to sell at private sale the Franklin armory and site to the city of Franklin at such price as they may determine to be fair and equitable as soon as the same is vacated by the National Guard of the state of New Hampshire in order to occupy a new armory in Franklin.

Further amend said bill by renumbering section 7 to read section 8.

The Clerk read the amendment in full.

At the request of Mr. Pillsbury of Manchester, Mr. Jenkins of New Castle explained the amendment.

(Speaker in the Chair)

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Appropriations under the Rules.

Mr. LaMott of Haverhill for the Committee on Military and Veterans Affairs, SB 23, relating to the American flag. Ought to pass with amendment.

Amend section 1 of the bill by inserting after the word "be" in the third line the words, in the opinion of the cemetery authority; further amend by inserting after the word "flag" in the fourth and sixth lines the words, or marker, so that said section as amended shall read as follows:

1 Amend RSA 572:23 by striking out all of section 23 and inserting in its place the following:

572:23 Removing Flag. No person shall remove, unless it shall be in the opinion of the cemetery authority in an un-

serviceable condition, an American flag or marker from the grave of any person who served in the armed forces of The United States during any war unless he shall replace the same with a new American flag or marker. Any person violating the provisions of this section shall be fined fifty dollars.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Senate Messages

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 19, relative to a school of business at the University of New Hampshire.

SB 47, relative to taxation of road building or construction equipment to be used for a temporary purpose.

Senate Bills Read and Referred

SB 19, to the committee on Education.

SB 47, to the committee on Ways and Means.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 146, to amend the charter of the city of Keene.

HB 21, regulating the practice of professional engineers.

Resolutions

Messrs. Rufo and Henry of Concord offered the following resolutions:

Whereas, the glorious American flag which has stood on our rostrum while so many Speakers of the House, both Republican and Democrat, have presided over this illustrious body in a manner doing honor to our own Granite state, has two years since reached the zenith of its horizon with the admittance of two new states to the Union, and

Whereas, the appearance of said flag is hardly in keeping with the grandeur of the new rostrum just installed so it should now be relegated to a place with its companions in the Hall of Flags, therefore be it

Resolved, that the Committee on Rules be instructed to bring in a Joint Resolution for the purchase of a new flag with fifty stars to grace our new rostrum.

On a *viva voce* vote the resolutions were adopted.

Mr. Reid of Milton offered the following resolutions:

Whereas, George E. Jordan of Milton has passed away, and

Whereas, He was a former Representative to the Legislature, former Chief of the Fire Department, member of the Police Force, Selectman, and participated in other local activities, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to his efficient services to his town and state, and extend our deep sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit to the widow, Mrs. Jordan, a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Hunter of Hampton offered the following resolutions:

Whereas, Harry Dale Munsey of Hampton has passed away, and

Whereas, He was a former Representative and a former Senator, Police Chief of his town, Bail Commissioner and Deputy Sheriff of Rockingham County, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to his services to his town, county and state, and extend our deep sympathy to his son in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Mr. Munsey's son, Donald T. Munsey, a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Reading

SB 23, relating to the American flag, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

On motion of Mrs. Gowing of Dublin the House adjourned at 12:14 o'clock.

WEDNESDAY, MARCH 1, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend Robert H. Lewis of the Congregational Church of Henniker, as follows:

Almighty, Glorious, and Blessed God we make our earnest prayer that thou wilt keep our state and these United States in Thy holy protection; that thou wilt grant strength and good understanding to Thy servants, the Governor, the President of the Senate and the Speaker of the House; that Thou wilt incline the hearts of our citizens to have brotherly love and affection for one another and that Thou wilt be pleased so to influence the hearts and minds of the members of this General Court chosen by the people to be their law-givers that they may be masters of themselves and so be better able to serve the state. As Thou hast called them to their several stations with various rights and privileges help them to know that their

greatest right is the duty of doing right. Open their hearts that patriotism, public principle, and purity may be more than fine words or sentimental expressions but may have in them the substance of sacrifice as, putting aside their private interests they work together for the common good. And to Thee, O Lord, who hast planted and sustained our nation's life and raised up help for us in every time of trouble, be praise and honor evermore.

Amen.

Pledge of Allegiance to the Flag

Mr. Carpenter of Henniker led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. McCarthy of Laconia was granted leave of absence for the day on account of important business.

Mr. Bevan of Durham was granted leave of absence for the day on account of illness.

Communication

The Speaker read the following communication from former President, Dwight D. Eisenhower:

Palm Desert, California,
February 19, 1961

Dear Mr. Speaker:

Because of the confusion in my office arrangements, I have only today seen the Resolution of January 20th passed by the House of Representatives of the State of New Hampshire. It is an understatement to say that I am gratified and touched by the sentiments expressed in the Resolution.

Won't you please accept for yourself, and convey to Mr. Tolman and Mr. Aucella, as well as to the distinguished members

of the House of Representatives my profound appreciation of your thought of me?

With best wishes,

Sincerely,

s/ Dwight D. Eisenhower

The Honorable Stewart Lamprey,
Speaker of the House of Representatives,
State of New Hampshire,
Concord, New Hampshire.

First and Second Reading of House Bills

HB 313, relative to installment sales of motor vehicles (Hancock of Concord) to Banks.

HB 314, repealing the taxation of domestic rabbits (Plumer of Bristol) to Ways and Means.

HB 315, repealing the taxation of fur-bearing animals (Plumer of Bristol) to Ways and Means.

HB 316, exempting oxen from taxation (Plumer of Bristol) to Ways and Means.

HB 317, repealing the taxation of boats (Lord of Gilford) to Ways and Means.

HB 318, providing for the taxation of bowling alleys (Waterhouse, Jr. of Windham) to Ways and Means.

HB 319, repealing the taxation of sheep, goats and hogs (Plumer of Bristol) to Ways and Means.

HJR 23, in favor of the estate of James E. McCullough (Miskelly of Keene-Committee on Rules) to Finance.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to dispense with the printing of HJR 23.

The Clerk read the House Joint Resolution in full.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to put HJR 23 on third reading and final passage at the present time.

Third Reading

HJR 23, in favor of James E. McCullough, was read a third time, passed, and sent to the Senate for concurrence.

Introduction of Bills (Cont.)

HJR 24, in favor of certain persons in the town of Sanbornton (Joslyn of Sanbornton) to Finance.

HJR 25, providing supplemental appropriation for school building aid (MacIsaac of Laconia) to Appropriations.

Committee Reports

Mr. Desnoyer of Claremont for the Committee on Municipal and County Government, HB 87, relative to taxation of house trailers. Ought to pass with amendment.

Amend the bill by inserting after section 2 the following new sections:

3 House Trailers. Amend RSA 260 by inserting after section 260:12-a the following new section: 260:12-b Payment of Taxes Required. No house trailer or mobile home shall be registered in accordance with the provisions of this chapter after a tax has been assessed upon said house trailer or mobile home unless the owner or person requesting registration has satisfied the commissioner that all taxes assessed thereon for the year for which registration is sought have been paid; except that if registration is sought before a tax for that year has been assessed against said house trailer or mobile home, the commissioner may issue such registration which he may revoke at any time upon notice by the collector of taxes that the taxes have been assessed and billed and remain unpaid.

4 Repeal. RSA 72:21-a (supp) as inserted by 1955, 137:1 relative to house trailers is hereby repealed.

Further amend said bill by renumbering section 3 to read section 5.

At the request of Mr. Pillsbury of Manchester, Mr. Desnoyer of Claremont explained the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted.

At the request of Mr. Pillsbury of Manchester, Mr. Deans of Milford explained the bill.

(discussion ensued)

Mr. Pillsbury of Manchester moved that HB 87 be made a Special Order of Business at 11:01 on Tuesday next and spoke in favor of the motion.

Messrs. Hill of Conway, Deans of Milford and Hanson of Bow spoke against the motion.

Mr. Pillsbury of Manchester withdrew his motion for a Special Order.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bouthillier of Nashua for the Committee on Municipal and County Government, HB 224, relative to the Amherst school district. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bragg of Lancaster for the Committee on Public Health, HB 96, relative to commitment of the mentally ill. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act relative to commitment, discharge and temporary absences of the mentally ill.

Amend said bill by adding after section 1 the following new sections:

2 Discharge from State Hospital. Amend RSA 135:28 by striking out the words "commission of lunacy" in the second line and inserting in place thereof the word, superintendent, so that said section as amended shall read as follows: 135:28 Discharge. Any person committed to the hospital may be discharged by the superintendent, or by a justice of the superior court, whenever a further detention at the hospital is in their opinion unnecessary; but any person so discharged who was under sentence of imprisonment at the time of his commitment, the period of which has not expired, shall be remanded to prison.

3 Temporary Absences from State Hospital. Amend RSA 135:31 by striking out the words "six months" in the fourth line and inserting in place thereof the words, one year, so that said section as amended shall read as follows. 135:31 Temporary Absences. The superintendent of the hospital, with the approval of the trustees, may permit any inmate thereof temporarily to leave said institution in charge of his guardian, relatives, or friends, for a period not exceeding one year, and may receive him when returned by such guardian, relatives, or friends within said period, or may take and recommit him when necessary, without any further order of commitment.

Further amend said bill by renumbering section 2 to read section 4.

Amendment material, tabled for printing.

Mr. Bragg of Lancaster for the Committee on Public Health, HB 95, relative to emergency admissions to state hospital. Ought to pass with amendment.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 State Hospital. Amend RSA 135 by adding the following new section after section 21 thereof: 135:21-a Emergency Admissions. In an emergency a person may be admitted to the state hospital on the certificate of one examining physician; provided, however, that the person so admitted shall not be detained at said hospital for a period longer than twenty-four hours unless a second examining physician shall certify in writing that in his opinion such person is in need of institutionalization by reason of mental illness, based upon a personal examination made within twenty-four hours after admission to the hospital. Both the admitting physician and the second examining physician mentioned herein shall be within the scope of the requirements for examining physicians specified in the preceding section. The certificates of said physicians shall be in such form as may be prescribed by the commission of mental health. For the purposes of this section "emergency" shall mean that the person's mental state is so disturbed as to constitute a threat to his own life and/or a danger to his family or the community.

Amendment material, tabled for printing.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 120, providing for the classification of certain surface waters of the Piscataqua River watershed. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 86, increasing the state guarantee of municipal bonds issued for water pollution projects. Ought to pass.

The Chair referred HB 86 to the committee on Appropriations under the rules.

Reconsideration

Mr. Deans of Milford, having voted with the majority, moved that the House reconsider its vote whereby HB 86, relative to taxation of house trailers, was ordered to a third reading and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Engrossed Bills Report

Mr. Burrill of Littleton for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 21, regulating the practice of professional engineering.

HB 146, to amend the charter of the city of Keene.

SB 7, relative to educational assistance to the blind.

Mr. Angus of Claremont moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

The committee on Labor, to whom was referred the following concurrent resolution report the same with the recommendation that the resolution be adopted.

Whereas, the textile industry is an important part in the economic life of New Hampshire; and

Whereas, foreign competition is one of the factors adversely affecting this industry and the economy of this state; and

Whereas, the United States Senate textile subcommittee has recently been holding hearings relative to this question; and

Whereas, the Governor of New Hampshire, as chairman of the New England Governors' Conference, and all other New England Governors have been diligent in the effort to find a solution to this vital problem, now, therefore be it

Resolved that the General Court of the State of New Hampshire requests its congressional delegation to support and work for all possible and necessary legislation and regulations to control textile imports which are adversely affecting the textile industry in this country; and, be it further

Resolved that the Secretary of State transmit copies of this concurrent resolution to the President of the United States, Senators Styles Bridges and Norris Cotton of the Senate of the United States, and the Hon. Perkins Bass and the Hon. Chester Merrow.

On a *viva voce* vote the concurrent resolution was adopted.

Senate Messages

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 78, to provide a penalty for obtaining telecommunications service fraudulently.

HB 177, legalizing the biennial election of 1960 in the town of New Ipswich.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 42, providing for the attorney general to represent a city or town in certain tax abatement proceedings.

SB 45, providing special licenses for lounges at municipal airports.

Senate Bills Read and Referred

SB 42, to the committee on Judiciary.

SB 45, to the committee on Liquor Laws.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session**Third Readings**

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 87, relative to taxation of house trailers.

HB 224, relative to the Amherst school district.

HB 120, providing for the classification of certain surface waters of the Piscataqua River watershed.

On motion of Miss Faulkner of Keene the House adjourned at 12:06 o'clock.

THURSDAY, MARCH 2, 1961

The House met at 11:00 o'clock.

JOINT CONVENTION

Prayer was offered by the Chaplain as follows:

As we meet here to do the business of government, O God, turn us to our work with a dedicated spirit, that constantly being reminded of the trust that has been placed in us, we may apply the fulness of our intelligence and energies to our tasks. Help us to be patient, with a willingness to persevere in what we believe is right and in the best interests of the people we serve. Cause us to utilize the full extent of our resourcefulness

in order to enact sound legislation. In all our dealings and decisions make us determined to speak for what is fair, for what is true and for what will serve best thy sons and daughters who have honored us in setting us apart to speak for the people.
Amen.

Pledge of Allegiance to the Flag

Mr. Ingraham of Portsmouth led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Messrs Urie of New Hampton and Beven of Durham were granted leave of absence for the day on account of illness.

Mr. Carmen of Manchester was granted leave of absence for the day on account of important business.

First and Second Reading of House Bills

HB 320, relative to commissions paid to agents by insurance companies (Belanger of Manchester) to Insurance.

HB 321, relative to penalty for failure of insurance companies to pay claims (Belanger of Manchester) to Insurance.

HB 322, relative to the payment of claims by insurance companies (Belanger of Manchester) to Insurance.

HB 323, defining agriculture, farming and farms (Purington of Exeter) to Agriculture.

HB 324, relative to the registration and licensing of guides (Rollins of Alton) to Fish and Game.

HB 325, to prohibit the discharge of firearms in the vicinity of buildings (Adams of Madbury) to Fish and Game.

HB 326, to provide for the election of county commissioners on a rotating basis (Adams of Madbury) to Municipal and County Government.

HB 327, relative to registration of tax appraisers (Shepard of Londonderry) to Executive Departments and Administration.

HB 328, relative to salaries of Hillsborough county commissioners (Hart of Manchester and Cooper of Nashua) to the Hillsborough Delegation.

HB 329, relating to life insurance and annuity business; limitation of expenses (Underhill of Nashua) to Insurance.

Reconsideration

Mr. Pickett of Keene, having voted with the majority, served notice that today, or some subsequent day, he would ask the House to reconsider its vote whereby it passed HB 87, relative to taxation of house trailers.

Committee Reports

Mr. Moore of Bradford for the Committee on Public Works, HB 148, relative to classification of certain highways in the towns of Bedford and New Boston. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act relative to classification of certain highways in the towns of Bedford and New Boston and relative to certain access highways.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Highway in Bedford and New Boston. The highways in the towns of Bedford and New Boston known as the New Boston road and the Chestnut Hill road running from the Manchester-Bedford line by the missile tracking station in New Boston to the New Boston-Amherst town line shall hereafter be classified as a Class II highway. The commissioner of public works and highways shall designate said highway for winter maintenance under the provisions of RSA 229:7.

Further amend said bill by inserting after section 2 the following new sections:

3 Access Highways. Amend RSA 229 by inserting after section 22 (supp) as inserted by 1959, 283:1 the following new subdivision:

Classification of Special Highways

229:23 Classification Authorized. With the approval of governor and council the commissioner of public works and highways is hereby authorized to classify as a Class I highway any existing or proposed public highway which is needed to

provide essential highway transportation services from a military reservation or defense industry or activity to suitable transportation facilities.

229:24 Acceptance of Federal Funds. The commissioner of public works and highways is authorized to accept federal funds for the construction, improvement or maintenance of the highways classified in section 1 hereof.

229:25 Reversion to Previous Status. When a military reservation or defense industry or activity is closed or it is determined that the highways classified in section 1 hereof are no longer necessary the commissioner of public works and highways is authorized with the approval of governor and council to revert any such highway to its previous classification or to discontinue unneeded portions of such highways.

Further amend said bill by renumbering section 3 to read section 4.

Mr. Galloway of Walpole moved to dispense with the reading of the amendment and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Galloway of Walpole explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Galloway of Walpole for the Committee on Public Works, SB 9, relative to duties of the state historical commission as to erection of historic signs. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Judiciary, HB 27, for emergency location of state and municipal government. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Emergency Powers. Amend RSA 107:8 by inserting after subsection (e) the following new subsection: 107:8 (f) To declare an emergency temporary location, or locations, for the seat of state government at such place, or places, within this state as the governor may deem advisable under the circum-

stances and to take such action and issue such orders as may be necessary for an orderly transaction of the affairs of state government to such emergency temporary location, or locations; such emergency temporary location, or locations, shall remain the seat of government until the legislature shall by law establish a new location or locations, or until the emergency is declared to be ended by the governor and the seat of government is returned to its normal location.

2 Local Organization for Civil Defense. Amend RSA 107:10 by inserting after subsection (b) the following new subsection: 108:10 (c) In carrying out the provisions hereof each political subdivision, in which any disaster as described in section 2 hereof occurs, may meet at any place within or without the territorial limits of such political subdivision and shall proceed to establish and designate by ordinance, resolution or other manner, alternate or substitute sites or places as the emergency temporary location, or locations, of such government where all, or any part, of the public business may be transacted and conducted during the emergency situation; said latter sites or places may be within or without the territorial limits of such political subdivision, but must be within this state.

3 Takes Effect. This act shall take effect sixty days after its passage.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary, HB 29, relative to observance of legal holidays within the state. Inexpedient to legislate.

Mr. Dupont of Manchester moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mrs. Cooper of Nashua and Messrs Pickett of Keene, Desnoyer of Claremont spoke against the motion.

Mr. Healy of Manchester explained the resolution of the committee.

Mr. Maloomian spoke in favor of the motion.

Mr. Dupont of Manchester spoke a second time in favor of the motion.

On a *viva voce* vote the motion was not adopted.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. Ainley of Manchester for the Committee on Judiciary, HB 129, relating to the installation of public telephones on streets and public ways. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Healy of Manchester for the Committee on Judiciary, HB 139, relating to presumption in alleged motor vehicle violations. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, HB 141, relating to jurisdiction of motor vehicle offense. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Jennings of Concord for the Committee on Labor, HB 171, relative to unemployment compensation. Ought to pass with amendment.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 Annual Earnings. Amend paragraph (2) of RSA 282:1-0 by striking out said paragraph and inserting in place thereof the following: (2) "Annual Earnings." The commissioner of the department of employment security shall compute annual earnings for each individual by crediting him to the nearest dollar with the wages, subject to contributions imposed by this chapter, paid him for employment during each base period in accordance with such rules and regulations as the commissioner of the department of employment security may prescribe.

Amend paragraph (2) of subsection C of RSA 282:5 as amended by section 12 of the bill by striking out the word "director" in the second line and inserting in place thereof the word, commissioner, so that said paragraph as amended shall read as follows:

(2) Tenure. The appointed members shall serve at the pleasure of the commissioner and shall be paid twenty dollars

for each day or any part thereof during which they perform services at the request of the commissioner, and shall be reimbursed for all expenses determined by the commissioner to be necessary to the performance of their duties.

Amend section 19 by adding after the word "behalf" in the fifth line the word, but, so that said section as amended shall read as follows:

19 Separate Accounts. Amend paragraph (1) of RSA 282:6-C (supp) as amended by 1955, 141:12 by striking out the whole of the same and inserting in place thereof the following: (1) The commissioner shall maintain a separate account for each employer and shall credit his account with all contributions timely paid by him or on his behalf but nothing in this chapter shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund, either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged against the account of the claimant's most recent employer.

Amend paragraph (1) of subsection G, RSA 282:9 as amended by section 34 of the bill by striking out the word "director" in the eleventh line and inserting in place thereof the word, commissioner, so that said paragraph as amended shall read as follows:

(1) It shall be the duty of the commissioner of the department of employment security to administer this chapter and he shall have power and authority to adopt, amend, or rescind such rules and regulations, to employ such persons, make such expenditures, require such reports, make such investigations, and take such other action as he deems necessary or suitable to that end. Such rules and regulations shall be effective upon publication in the manner, not inconsistent with the provisions of this chapter, which the commissioner shall prescribe. The commissioner shall determine his own organization and methods of procedure in accordance with the provisions of this chapter. Not later than the thirtieth day of June of each year, the commissioner shall submit to the governor a report covering the administration and operation of this chapter during the preceding calendar year and shall make such recommendations for amendments to this chapter as he deems proper. Such reports shall include a balance sheet of the moneys in the fund

in which there shall be provided, if possible, a reserve against the liability in future years to pay benefits in excess of the then current contributions, which reserve shall be set up by the commissioner in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period. Whenever the commissioner believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, he shall promptly so inform the governor and the legislature, and make recommendations with respect thereto.

Amend subsection H of RSA 282:14 (supp) as inserted by 1955, 141:20 and as amended by section 39 of the bill by striking out the word "director" in the tenth line and inserting in place thereof the word, commissioner, so that said subsection as amended shall read as follows: H. Recovery for Another State. On request of an agency of another state which administers an employment security law and which has found, in accordance with the provisions of such law, that an individual is liable to repay benefits received under such law, the commissioner may collect from such individual the amount of such benefits, to be refunded to such agency, and such amounts may be collected by civil action in the name of the commissioner acting as agent for such agency.

On motion of Mr. Angus of Claremont reading of the amendment was dispensed with.

Mr. Angus of Claremont explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Pappagianis of Nashua for the Committee consisting of the members from the city of Nashua, HB 182, to increase the parliamentary rights of the mayor of Nashua. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pappagianis of Nashua for the Committee consisting of the members from the city of Nashua, HB 123, to repeal the capital reserve fund for the public library annex in Nashua. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Sabluski of Nashua for the Committee consisting of the members from the city of Nashua, SB 27, relating to the salary of the mayor of the city of Nashua. Ought to pass.

Mr. Bouthillier of Nashua offered the following amendment and moved its adoption.

Amend section 1 of the bill (printed) by striking out the words "eight thousand" in the twenty third line (of the printed bill) and inserting in place thereof the words, sixty five hundred, so that said section as amended shall read as follows:

1 City of Nashua; Mayor. Amend section 45 of chapter 427 of the Laws of 1913, as amended by chapter 246 of the Laws of 1921, by chapter 288 of the Laws of 1943 and by chapter 377 of the Laws of 1957, by striking out said section and inserting in place thereof the following: Sect. 45. The mayor shall be the chief executive officer of the city, and cause its laws and ordinances to be executed and enforced, shall exercise the general supervision over the conduct of all subordinate officers and cause all violations and neglect of duties by them to be punished. He may call a meeting of the board of aldermen whenever in his opinion there is occasion by causing a notification to be given to or left at the abode of each member of the board to be convened. He shall from time to time communicate to said board and to all subordinate officers such information and recommendations relative to matters within their respective jurisdiction as, in his judgment, the interest of the city may require, and shall have and perform such other powers and duties not inconsistent with the provisions of this act as now or hereafter may be conferred or imposed on him by the municipal ordinances or upon mayors of cities by general law. The salary of the mayor of the city of Nashua shall be sixty five hundred dollars per annum, payable in equal monthly payments. Said salary shall be in full compensation for services performed by said mayor while on official business. The mayor shall hold no other office of profit, recompense for which is made out of city funds or appropriations.

The Clerk read the amendment in full.

Mr. Bouthillier of Nashua spoke in favor of the motion.

Mr. Pappagianis of Nashua explained the bill.

Mr. Bowles of Portsmouth moved that SB 27 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Messrs Rosedoff and Pappagianis of Nashua spoke against the motion.

(discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

(discussion ensued)

Mr. Brosnahan of Nashua spoke against the motion.

Mr. Hambleton of Goffstown moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

On a *viva voce* vote the motion to indefinitely postpone was not adopted.

The question now being on the amendment as offered by Mr. Bouthillier of Nashua.

On a *viva voce* vote the chair was in doubt and called for a division.

On the division vote, 44 members having voted in the affirmative and 219 members in the negative, the amendment was not adopted.

The question now being on the report of the committee.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Hart of Manchester for the Committee on Education, HB 155, relative to enlarging or reducing the membership of school boards. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Potter of Northumberland for the Committee on Education, HB 223, relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income. Ought to pass, and the bill was referred to the committee on Appropriations under the rules.

Mrs. Demers of Lebanon for the Committee on Education, HB 144, in relation to Dartmouth College trustees. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Taken from the Table

HB 96, relative to commitment of the mentally ill, the question being on the amendment as printed in the Journal of March 1st on pages 7 and 8.

At the request of Mr. Hancock of Concord, Mr. Bragg of Lancaster explained the amendment.

(discussion ensued)

Mr. Deans of Milford spoke in favor of the amendment.

Mr. Hancock of Concord moved that HB 96 be referred to the committee on Judiciary and spoke in favor of the motion.

Messrs. Deming of Danville, Bowler of Hanover, Deans of Milford, Willey of Campton and Porter of Lebanon spoke against the motion.

(discussion ensued)

Messrs. Brewster of Pittsfield, O'York of Dover, King of Manchester and Pickett of Keene spoke in favor of the motion.

Mr. Hancock of Concord spoke a second time in favor of the motion.

Mr. Deming of Danville spoke a second time against the motion.

Mr. Hambleton of Goffstown moved the previous question and it was sufficiently seconded.

On a *viva voce* the motion was adopted.

The question now being on reference to committee for further study.

On a division vote, 146 members having voted in the affirmative and 193 in the negative the motion to refer was lost.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Taken from the Table

HB 95, relative to emergency admissions to state hospital,

the question being on the amendment as printed in the Journal of March 1st on page 8.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Clement of Rochester moved that the committee of conference on HJR 6, for appropriation for carrying out provisions relative to regional agreements for education facilities for New Hampshire residents, be dismissed and that the House accede to the amendments sent down from the Senate, and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 113, relative to the operation of the Forest Hills Hotel in Franconia by the trustees of the University of New Hampshire.

Amend said bill by striking out paragraph 2 thereof and substituting in place thereof the following: 2 Takes Effect. This act shall take effect upon its passage.

On motion of Mr. Chandler of Bartlett the House concurred in the amendment sent down from the Senate.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in an adoption of the amendment to the following entitled bill, sent up from the House of Representatives, and requests a committee of conference:

SB 23, relating to the American flag, The President of the Senate has appointed as members of said committee of conference on the part of the Senate: Senator McMeekin and Senator Lamontagne.

Mr. Jenkins of New Castle moved that the House accede to the Senate for a committee of conference.

On a *viva voce* vote, the motion was adopted, and the Chair appointed Messrs. LaMott of Haverhill, Varney of Rochester and Daniel of Manchester on the part of the House.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Whereas, the United States has successfully launched, and returned, rockets into space and has, after much deliberation and elimination selected three young men, one of whom will be the first astronaut to be shot into space, and, of the three, one is a native of our Granite State, Commander Allan B. Shepard, Junior, son of Mr. and Mrs. Allan B. Shepard, Senior, of Derry, and

Whereas, much honor has come to New Hampshire with the choice of Commander Shepard for this adventurous task, therefore be it

Resolved, that we, the members of this 1961 General Court convened, do highly commend Commander Shepard for the stamina and the hard work which has brought him to be chosen for this hazardous adventure and congratulate his parents for having a son so highly qualified and talented, and be it further

Resolved, that a copy of these resolutions be sent to Commander Shepard and to his parents, Mr. and Mrs. Allan B. Shepard, Senior.

On a *viva voce* vote the concurrent resolutions were adopted.

Resolutions

Mr. Peterson of Peterborough offered the following resolutions:

Whereas, Mrs. Elizabeth Street has passed away, and

Whereas, She was the mother of John Milton Street, former Representative from Sharon and presently serving as Assistant Clerk of the House of Representatives, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, for ourselves and for the Attaches of the House, hereby extend deep

sympathy to our Assistant Clerk in his bereavement, and be it further

Resolved, That a copy of these Resolutions be transmitted to him by the Clerk of the House.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Sawyer of Winchester offered the following resolutions:

Whereas, we have learned with regret of the passing of our former fellow member, E. Maurice Ostund, and

Whereas, Mr. Ostund represented the town of Richmond for several sessions, therefore be it

Resolved, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to Mrs. Ostund in her bereavement and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mrs. Ostund.

Reconsideration

Mr. Brosnahan of Nashua, having voted with the majority moved that the House reconsider its vote whereby it passed SB 27, relating to the salary of the mayor of the city of Nashua, and spoke against the motion.

On a *viva voce* vote the motion to reconsider was lost.

Announcements

The chair announced that Saturday, March 4 is the 80th birthday of Edward J. Ingraham, Representative from Portsmouth.

The chair also announced that Edward J. Hazelton, Representative, has been appointed Brigadier General of the Air Force Reserves.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading

of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 148, relative to classification of certain highways in the towns of Bedford and New Boston.

HB 182, to increase the parliamentary rights of the mayor of Nashua.

HB 123, to repeal the capital reserve fund for the public library annex in Nashua.

HB 155, relative to enlarging or reducing the membership of school boards.

HB 144, in relation to Dartmouth College trustees.

HB 27, for emergency location of state and municipal government.

HB 129, relating to the installation of public telephones on streets and public ways.

HB 171, relative to unemployment compensation.

HB 96, relative to commitment of the mentally ill.

Reconsideration

Mr. Deans of Milford, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 96 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

HB 95, relative to emergency admissions to state hospital, was read a third time, passed and sent to the Senate for concurrence.

Reconsideration

Mr. Deans of Milford, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 95 and spoke against the motion.

Mr. D'Amante of Claremont spoke in favor of the motion.

(discussion ensued)

At the request of Mr. Mahoney of Manchester, Mr. Bowler of Hanover explained the bill.

(discussion ensued)

On a *viva voce* vote the motion to reconsider was lost.

SB 9, relative to duties of the state historical commission as to erection of historic signs, was read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 27, relating to the salary of the mayor of the city of Nashua, was read a third time, passed, and sent to the Secretary of State to be engrossed.

Reconsideration

Mr. Rosedoff of Nashua, having voted in the majority, moved that the House reconsider its vote whereby it passed SB 27 and spoke against the motion.

On a *viva voce* vote the motion to reconsider was lost.

Mr. Pickett of Keene withdrew his notice of re-consideration on HB 87, relative to taxation of house trailers.

On motion of Mrs. Frizzell of Charlestown the House adjourned at 2:26 o'clock.

TUESDAY, MARCH 7, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

Let me today be a Christian not only in my words
but also in my deeds:
Let me follow bravely in the footsteps of my
Master, wherever they may lead:
Let me be hard and stern with myself:
Let there be no self-pity or self-indulgence
in my life today:
Let my thinking be keen, my speech frank and
open and my action courageous and
decisive. Amen.

Pledge of Allegiance to the Flag

Mrs. Potter of Northumberland led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. Kearns of Manchester was granted a leave of absence for the week on account of illness.

Mr. Chapdelaine of Manchester and Mrs. Fontaine of Berlin were granted leave of absence for the week on account of deaths in the families.

Mr. Carmen of Manchester was granted leave of absence for two weeks on account of important business.

Mr. Jones of Laconia was granted leave of absence for the day on account of illness.

Mr. Szelog of Manchester was granted leave of absence for the day on account of a death in the family.

Mr. Gilbert of Bath was granted an indefinite leave of absence on account of illness.

Mr. Pinkham of Northwood was granted leave of absence for the day on account of important business.

First and Second Reading of House Bills

HB 330, relative to the Concord city charter (Quinn of Concord) to the Concord Delegation.

HB 331, relative to administration of small estates (King of Manchester) to Judiciary.

HB 332, relative to liability for violation of law of the road (Pappagianis of Nashua) to Judiciary.

HB 333, relating to appeals from municipal courts (Craig of Manchester) to Judiciary.

HB 334, relative to bounties on fox (Bouchard of Berlin) to Fish and Game.

HB 335, to establish uniform minimum compensation for the maintenance and care of dependent children in homes for children (Ecker of Manchester) to Public Welfare and State Institutions.

HB 336, relative to sale of ice cream by weight (Keefe of Portsmouth) to Public Health.

HB 337, relative to the charter of the Orford fire engine company (Cushman of Orford) to Executive Departments and Administrations.

HB 338, providing a bounty for killing rattlesnakes (Miskelly of Keene) to Fish and Game.

HB 339, relative to marking fishing holes cut in ice on Great Bay (Barker of Stratham) to Fish and Game.

HB 340, relative to use of motor vehicles in connection with crimes or offenses (Howe of Tilton) to Judiciary.

HB 341, relative to publication of fish and game rules and regulations (Rosedoff of Nashua) to Fish and Game.

HB 342, relative to taking salmon through the ice (Hanson of Bow) to Fish and Game.

HJR 26, in favor of Priscilla Morneau (Sheridan of Berlin) to Finance.

HB 343, relative to classification of a highway in the town of Goffstown and the city of Manchester (Hambleton of Goffstown) to Public Works.

HB 344, naming an interstate highway (King of Manchester et al) to Public Works.

HB 345, providing for control of aquatic nuisances on Lake Winnisquam (Urie of New Hampton, Joslyn of Sanborn-ton, Belanger of Manchester, Ayre of Laconia, Dulac of Laconia) to Appropriations.

HB 346, Establishing a department of resources and economic development, merging therein Planning and Development, Forestry, Recreation, Fish and Game, transferring thereto for limited purposes the Water Resources Board and the New Hampshire state Port Authority, (Goode of Manchester, Chandler of Bartlett) to Executive Departments and Administration.

HJR 27, in favor of the county of Merrimack (London of New London) to Finance.

Mr. O'York of Dover offered the following concurrent resolution:

Whereas, there is pending in the Congress of the United States HJ Res. 23 which reads as follows:

"Section 1. The government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified, in the Constitution.

"Section 2. The constitution or laws of any state, or the laws of the United States, shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"Section 3. The activities of the United States government which violate the intent and purposes of this amendment shall, within a period of three years from the date of the ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Section 4. Three years after the ratification of this amendment the Sixteenth article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts."

Now Therefore be it Resolved by the House of Representatives, the Senate concurring

That the General Court of New Hampshire urges the Congress of the United States to enact HJ Res. 23 prohibiting the government of the United States from levying taxes on personal incomes, estates and/or gifts.

Be it further resolved That the Secretary of State transmit certified copies of this resolution to the Senators and Representatives of New Hampshire in the Congress and to the Speaker of the House of Representatives and the President of the Senate of the Congress of the United States.

The concurrent resolution was referred to the committee on Judiciary.

Committee Reports

Mr. Eaton of Hillsboro for the Committee on Executive Departments and Administration, HB 151, to permit the state library commission to enter into agreements or compacts. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. White of Portsmouth W. 4 for the Committee on Executive Departments and Administration, HB 161, relative to officers of the New Hampshire State Port Authority. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Osborn of Portsmouth for the Committee on Executive Departments and Administration, HB 176, relative to motor vehicle permits. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 37, relative to the method of taking wild deer in the town of Durham. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 181, relative to the taking of deer. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, SB 25, relative to fees for fish and game licenses, and eliminating the so called license stamps. Ought to pass.

At the request of Mr. Chandler of Bartlett, Mr. Spalding of Plainfield explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, SB 29, relating to authority of fish and game director to control porcupines in remote areas. Inexpedient to legislate.

At the request of Mr. Deans of Milford, Mr. Converse of Pittsburg explained the bill.

Mr. Deans of Milford moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

On a *viva voce* vote the motion was not adopted.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Hill of Conway for the Committee on Ways and Means, SB 46, relative to assessment of taxes. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Chandler of Portsmouth for the Committee on Judiciary, HB 77, relative to homicide and offenses against person. Ought to pass with amendment.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Preservation of Health. Amend RSA 585 by inserting after section 12 the following new section: 585-12-a Exception. The provisions of the preceding section shall not apply when any act prohibited thereby is performed by a duly licensed physician in a hospital accredited by the Joint Commission on

Accreditation of Hospitals, provided that such act is performed within the first twenty weeks of gestation and only after said physician and two other physicians, all of whom shall be members of the staff of said accredited hospital, shall have certified in writing that such act is necessary to preserve the life of the woman. Such written certification shall be filed within seven days following signing with both the state board of health and the board of registration of medicine.

2 Causing Death. Amend RSA 585:14 by striking out the same and inserting in place thereof the following: 585:14 Penalty for Causing Death. If any person shall cause the death of a pregnant woman, in the perpetration or attempt to perpetrate either of the crimes mentioned in sections 12 and 13 hereof, or in consequence of the perpetration or the attempt to perpetrate either of them, he shall be deemed guilty of murder in the second degree, and shall be punished accordingly.

3 Takes Effect. This act shall take effect sixty days after its passage.

The Clerk read the amendment in full.

Messrs. Martel of Manchester, Brosnahan of Nashua, Normandin of Laconia, Healy of Manchester W 6 and Mrs. Ainley of Manchester, a minority of the Committee on Judiciary, HB 77, relative to homicide and offenses against person, being unable to agree with the majority, report the same with the following Resolution: inexpedient to legislate.

The question is on the adoption of the amendment as offered by the majority of the committee.

Mr. Martel of Manchester moved that the report of the minority, Inexpedient to Legislate, be substituted for the words, Ought to Pass with amendment, and spoke in favor of the motion.

Mr. Ecker of Manchester moved that HB 77 be indefinitely postponed and spoke in favor of the motion.

Mrs. Frizzell of Charlestown and Mrs. Neale of Hanover spoke against the motion.

Messrs. Keating of Keene, Normandin of Laconia, O'York of Dover and Healy of Manchester W 6 spoke in favor of the motion.

Messrs. Peterson of Peterborough, London of New London, Deans of Milford and Mrs. Clark of Lee spoke against the motion.

(discussion ensued)

Mr. Hambleton of Goffstown moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

Mrs. Frizzell of Charlestown requested the Yeas and Nays and the roll was called as follows:

YEAS — 152

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Barrows, Guest, Downing, Rowell.

GRAFTON COUNTY: Coutermarsh, Demers, McGee, Collyer, Hill of Littleton, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Bouchard, Gagnon, Graham, Bushey.

ROCKINGHAM COUNTY: Vey, Gay, Kimball of Derry, White of Derry, Casassa, Sewall, Twardus, Cheney, Driscoll, Keefe, Ingraham, Peever.

STRAFFORD COUNTY: Blanchette, Grimes, Flanagan, Reid, Watson of Rochester, Potvin, St. Pierre, Johnson of Rochester, Maloomian, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Lacaillade, Harkins, Normandin, Dulac.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, York, Audet, Hancock, Lovejoy, Quinn, Jennings of Concord, Rufo, Gilman of Franklin, Charland, Dempsey, Mulaire, Plourde, Thibeault.

HILLSBOROUGH COUNTY: Farwell, Bartlett, Hambleton, Claveau, Gallagher, Provencal, Ainley, Soucy, Geisel, Goode, Mahony, Bruton, Hart, Hayes, Martel, Burke, Cullity, Nolan, Linehan, Manning, Walsh, Casey, Clancy, Dupont, Ecker, Healy of Manchester, ward 6, O'Conner, LaFrance, LeClerc, Plante, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, ward 8, Morris, Belanger, Bergeron, King, Hurley, Noel, Roche, Dumas, Lemay, Levasseur, Nalette, Allard, Daniel of Manches-

ter, Lesmerises, Rousseau, Crowley, Gamache, Vachon, Falconer, Underhill, Dionne of Nashua, ward 2, Rosedoff, Belcourt, Kirkorian, Brosnahan, Sullivan, Maynard, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, LaVallee, Bouthillier, Peabody, Eastman of Weare.

CHESHIRE COUNTY: Cournoyer, Desmarais, Keating, Terrill, Miskelly, Kretowicz, Pickett, Crain, Ballam.

NAYS — 213

SULLIVAN COUNTY: Bascomb, Frizzell, Angus, Campbell, Nahill, D'Amante, Desnoyer, Weber, Williamson, Bailey, Spalding, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Willey, Plumer, Chandler of Canaan, Morse, Johnson of Franconia, Gage, Bowler, Hayward of Hanover, Low, Neale, Lamott, Larty, Karsten, Adams of Lebanon, Beard, Porter, Whipple, Burrill, Martin, Haskins, Cushman, Kinghorn, Bell, Barney, Avery, Bradley, Anderson.

COOS COUNTY: Vashaw, Ledoux, Marsh, Oakes, Emerson, Crockett, Kimball of Jefferson, Bragg, Shute, Potter of Milan, Potter of Northumberland, Converse, Brooks, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Persson, Spollett of Chester, Deming, Scott of Deerfield, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Hunter, Clark of Kingston, Shepard, Jenkins, Hislop, Carter, McDaniel, Palmer, Bowles, Murch, Stafford, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, ward 4, White of Portsmouth, ward 5, Carkin, Cross, Langford, Greene of Rye, Magoon, Roulston, Felch, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Leighton, Wiggin of Dover, O'York, Fellows, Stonemetz, Colbath, Richardson, Bevan, Heald, Littlehale, Drew, Clark of Lee, Adams of Madbury, Rolfe, Marsan, Maxfield, Varney, Wyatt.

BELKNAP COUNTY: Rollins, Watson of Belmont, Lord, Robertson, McCarthy, Ayre, Prescott, Stothart, O'Shan, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Tay-

lor of Ossipee, Brown of Sandwich, Nickerson of Tamworth, Kirth, Fox, Chamberlain, Claflin.

MERRIMACK COUNTY: Hanson, Moore, Hutchinson, Allen of Concord, Davis of Concord, Henry, Gibson, Bingham, Peaslee, Sanders, Barnard, Gove, Newell of Concord, Welch, Brown of Danbury, McKay, Stevens, Daniell of Franklin, Carpenter, Broek, Brown of Loudon, London, Thompson of Northfield, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Wiggin of Bedford, Aucella, Jennings of Goffstown, Nickerson of Goffstown, Taft, Pickering, Eaton, Brocklebank, Warren, Lang, Pettigrew, Haseltine, Deans, Hayward of Milford, Buckley, Cole, Cooper, Milliken, Pappagianis, Locke, Karnis, Peterson, Rice, Willard.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Clark of Harrisville, Stearns, Haley, Parker, Bennett, Brown of Keene, Faulkner, Oliver, Allen of Rindge, Hackler, Condon, Galloway, Wildey, Frost, Sawyer.

PAIRS

Mr. Scott of Derry voting YES paired with Mr. Pillsbury of Manchester voting NO.

Mr. Karkavelas of Dover voting YES paired with Mr. Edwards of Antrim voting NO.

Mr. Chapdelaine of Manchester voting YES paired with Mr. McAllister of Barnstead voting NO.

152 members having voted in the affirmative and 213 members having voted in the negative the motion to indefinitely postpone was lost.

The question now being on the motion to substitute the words, inexpedient to legislate, for the words, ought to pass with amendment.

On a *viva voce* vote the motion to substitute was lost.

The question now being on the adoption of the amendment as offered by the committee.

On a *viva voce* vote the amendment was adopted.

The question now being, shall the bill be read a third time.

Mr. O'York of Dover demanded the Yeas and Nays and the roll was called as follows:

YEAS — 209

STRAFFORD COUNTY: Berry, Leighton, Fellows, Stonemetz, Colbath, Richardson, Bevan, Heald, Littlehale, Drew, Clark of Lee, Adams of Madbury, Rolfe, Marsan, Maxfield, Varney, Wyatt.

BELKNAP COUNTY: Rollins, Watson of Belmont, Lord, Robertson, McCarthy, Ayre, Prescott, Stothart, O'Shan, Mac-Isaac, Allan of Meredith, Smith, Urie, Joselyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Couway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Brown of Sandwich, Kurth, Fox, Chamberlain, Claflin.

MERRIMACK COUNTY: Hanson, Moore, Hutchinson, Allen of Concord, Davis of Concord, Henry, Gibson, Bingham, Peaslee, Sanders, Barnard, Gove, Newell of Concord, Welch, Brown of Danbury, McKay, Stevens, Daniell of Franklin, Carpenter, Broek, London, Thompson of Northfield, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Wiggin of Bedford, Aucella, Jennings of Goffstown, Nickerson of Goffstown, Taft, Pickering, Eaton, Brocklebank, Warren, Lang, Pettigrew, Hazeltine, Deans, Hayward of Milford, Buckley, Cole, Cooper, Milliken, Pappagianis, Locke, Karnis, Peabody, Peterson, Rice, Willard.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Clerk of Harrisville, Stearns, Haley, Parker, Bennett, Brown of Keene, Faulkner, Oliver, Allen of Rindge, Hackler, Congdon, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Angus, Campbell, Nahill, Desnoyer, Weber, Williamson, Bailey, Spalding, Merrifield, Delude.

GRAFTON COUNTY: Plumer, Willey, Chandler of Canaan, Morse, Johnson of Franconia, Gage, Bowler, Hayward of Hanover, Low, Neale, Lamotte, Larty, Karsten, Adams of Lebanon,

Beard, Porter, Whipple, Burrill, Martin, Haskins, Cushman, Kinghorn, Bell, Barney, Avery, Bradley, Anderson.

COOS COUNTY: Bashaw, Ledoux, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Potter of Milan, Potter of Northumberland, Converse, Brooks, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Persson, Spollett of Chester, Deming, Scott of Deerfield, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Hunter, Clark of Kingston, Shepard, Jenkins, Hislop, Carter, McDaniel, Palmer, Bowles, Murch, Stafford, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 4, White of Portsmouth, Ward 5, Carkin, Cross, Langford, Greene of Rye, Magoon, Roulston, Felch, Barker, Waterhouse.

NAYS — 156

STRAFFORD COUNTY: Blanchette, Grimes, O'York, Flanagan, Reid, Watson of Rochester, Potvin, St. Pierre, Johnson of Rochester, Maloomian, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Lacaille, Harkins, Normandin, Dulac.

CARROLL COUNTY: Nickerson of Tamworth.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, York, Audet, Hancock, Lovejoy, Quinn, Jennings of Concord, Rufo, Gilman of Franklin, Charland, Dempsey, Mulaire, Brown of Loudon, Plourde, Thibeault.

HILLSBOROUGH COUNTY: Farwell, Bartlett, Hambleton, Claveau, Gallagher, Provencal, Ainley, Soucy, Geisel, Goode, Mahony, Bruton, Hart, Hayes, Martel, Burke, Cullity, Nolan, Linehan, Manning, Walsh, Casey, Clancy, Dupont, Ecker, Healy of Manchester, Ward 6, O'Connor, Lafrance, Leclerc, Plante, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, Ward 8, Morris, Belanger, Bergeron, King, Hurley, Noel, Roche, Dumas, Lemay, Levasseur, Nalette, Allard, Daniel of Manchester, Lesmerises, Rousseau, Crowley, Gamache, Vachon, Falconer, Underhill, Dionne of Nashua, Ward 2, Rose-doff, Belcourt, Kirkorian, Brosnahan, Sullivan, Maynard, Dionne of Nashua, Ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Sablusi, Bouthillier, Eastman of Weare.

CHESHIRE COUNTY: Cournoyer, Desmarais, Keating, Terrill, Miskelly, Kretowicz, Pickett, Crain, Ballam.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Barrows, D'Amante, Guest, Downing, Rowell.

GRAFTON COUNTY: Paquette, Coutermarsh, Demers, McGee, Collyer, Hall of Littleton, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Bouchard, Gagnon, Bushey.

ROCKINGHAM COUNTY: Vey, Gay, Kimball of Derry, White of Derry, Casassa, Sewall, Twardus, Cheney, Driscoll, Keefe, Ingraham, Peever.

209 members having voted in the affirmative and 156 members having voted in the negative the bill was ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Judiciary, HB 93, to establish within the office of the attorney general a division of subversive investigation. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act in relation to the duties of the attorney general
relative to subversive activities.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Duties of Attorney General. In order to implement the duties and responsibilities of the attorney general pursuant to RSA 588 the attorney general is authorized to employ special personnel, and expend such sums for expenses as may be necessary, within the limits of the appropriation made hereunder to effectuate such duties and responsibilities.

2 Records. All of the books, records, transcripts, papers and documents of the investigation authorized by statutes are hereby transferred to and shall become the responsibility of the attorney general, to be retained by him under such security regulations as the attorney general may deem necessary.

3 Appropriation. For the purpose of providing funds for the provisions of this act the sum of twelve thousand dollars

for the fiscal year ending June 30, 1962, and a like sum for the fiscal year ending June 30, 1963, are hereby appropriated to the department of the attorney general. The sums hereby appropriated shall be a charge upon the general funds of the state.

4 Report. The attorney general shall report to the general court not later than January 30, 1963 his activities carried out pursuant to this chapter.

5 Takes Effect. This act shall take effect as of July 1, 1961.

On a *viva voce* vote the amendment was adopted and HB 93 was referred to the committee on Appropriations under the rules.

Report of Committee on Engrossed Bills

Mrs. Ayre of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills and Joint Resolutions:

HB 55, relating to the mental treatment of juveniles.

HB 78, to provide a penalty for obtaining telecommunications service fraudulently.

HB 113, relative to the operation of the Forest Hills Hotel in Franconia by the Trustees of the University of New Hampshire.

HB 177, legalizing the biennial election of 1960 in the town of New Ipswich.

HJR 23, in favor of the estate of James E. McCullough.

Senate Message

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 55, relative to trespassing on private roadways with a motor vehicle.

SB 59, relative to affidavits to be signed by candidates for the office of state senator or representative.

SB 60, increasing the salary of the clerk of the Portsmouth municipal court.

SB 61, relative to town appropriations under the municipal budget law.

SB 62, relative to information reports from so-called small business corporations.

Senate Bills Read and Referred

SB 55, to Judiciary.

SB 59, to Executive Departments and Administration.

SB 60, to the Portsmouth Delegation.

SB 61, to Municipal and County Government.

SB 62, to Executive Departments and Administration.

Mr. Angus of Claremont moved that the House accept the interim report from the committee established by SJR 1, as printed in the Senate Journal of Thursday, March 2, to study the ski areas of the state, and that a six weeks extension of time be granted to the committee for a final report, and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 151, to permit the state library commission to enter into agreements or compacts.

HB 161, relative to officers of the New Hampshire State Port Authority.

HB 37, relative to the method of taking wild deer in the town of Durham.

HB 77, relative to homicide and offenses against person.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 25, relative to fees for fish and game licenses, and eliminating the so-called license stamps.

SB 46, relative to assessment of taxes.

Mrs. Frizzell of Charlestown, having voted with the majority, moved re-consideration of HB 77, and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

On motion of Miss Bailey of Newport the House adjourned at 2:25 o'clock.

WEDNESDAY, MARCH 8, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Joseph M. Trask, rector of St. James Episcopal Church of Laconia:

Almighty God, the fountain of wisdom, whose statutes are good and gracious and whose law is truth; We humbly beseech thee to guide and bless the Legislature of this State; Grant to its members integrity of purpose, and unfailing devotion to the cause of righteousness. May they ordain for our governance only such things as please thee, to the glory of thy Name and the welfare of the people; through Jesus Christ, thy Son our Lord. Amen.

Pledge of Allegiance to the Flag

Mr. MacIsaac of Laconia led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of Safety Patrol students from the Franklin public schools, courtesy of the Franklin Delegation.

Leave of Absence

Mr. Hill of Littleton was granted a leave of absence for tomorrow (Thursday) on account of important business.

First and Second Reading of House Bills

HB 347, requiring voting of county budgets annually (Ayer of Laconia) to Municipal and County Government.

HB 348, increasing the rate for minimum wages (Sanders of Concord) to Labor.

HB 349, authorizing the appointment of an additional assistant superintendent of schools for the city of Manchester (Goode of Manchester) to the Manchester Delegation.

Committee Reports

Mr. Claflin of Wolfeboro for the Committee on Transportation, HB 205, relating to the sale of gasoline at retail. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.
(5 minute recess)

Senate Messages

The Senate announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Resolved by the Senate and House of Representatives in General Court convened:

That there is hereby established a special committee consisting of five members who are authorized and directed to study and review the banking laws of the state and to supervise the work necessary to revise, recodify and amend said banking laws and to arrange them in a systematic annotated and condensed

form, so far as they deem necessary, according to the general scheme and plan of the Revised Statutes Annotated. The five members of said committee shall be: 2 members of the senate appointed by the president, 3 members of the house appointed by the speaker. The members of said committee shall serve without compensation but shall be reimbursed for all reasonable expenses incurred in performing their official duties hereunder. The members of said committee shall have full authority to assign such portions of its work as it deems suitable to persons, or committees of persons not members of said committee who have had training and experience in the different types of banking and financial institutions which are subject to the supervision of the bank commissioner, provided however that all recommendations made by such nonmembers relative to revision of the banking statutes shall be carefully reviewed and approved by the committee before they are submitted to the legislature. The special committee shall make interim reports of its findings to the 1961 session of the general court and make specific recommendations relative to revision of the banking statutes to the 1963 session of the general court not later than January 30, 1963. All reasonable cost of such study shall be collected by the bank commissioner from each institution, the condition and management of which he is required to examine and supervise under RSA 383:9 the said amount pro-rated on each such institution in accordance with the proportion which its assets bear to the total assets of all such institutions. The assessment hereunder shall be in addition to any other assessments on account of examination and supervision of said banking institutions.

Mr. Goode of Manchester moved that the House concur with the Senate and spoke in favor of the motion.

(discussion ensued)

Messrs. Pickett of Keene and Bigelow of Warner spoke in favor of the motion.

(discussion ensued)

Messrs. Geisel of Manchester and Hancock of Concord spoke against the motion.

Mr. Geisel of Manchester moved that the concurrent resolution be referred to the committee on Banks, and spoke in favor of the motion.

Mr. Daniel of Franklin spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and the concurrent resolution was referred to the committee on Banks.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 58, relative to permission to towns to appropriate money for payment for association dues.

SB 53, to correct the reference in the statutes to the state department of health laboratory.

SB 51, relating to the licensing of auctioneers.

SB 35, to broaden the curriculum at teachers colleges.

SB 64, relative to the compensation of Cheshire County commissioners.

SB 50, authorizing the secretary of state to remove the names of candidates not qualified to be on the ballot.

Senate Bills Read and Referred

SB 50, to Judiciary.

SB 35, to Education.

SB 51, to Executive Departments and Administration.

SB 53, to Public Health.

SB 58, to Judiciary.

SB 64, to Cheshire County Delegation.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 56, eliminating the requirement for certain reports to the state board of health.

HB 3, relative to definition of adulteration of milk and milk products.

HB 224, relative to the Amherst school district.

HB 152, relative to collection of taxes on real estate when such sale is of less than the whole estate.

HB 55, relating to the mental treatment of juveniles.

HJR 23, in favor of the estate of James E. McCullough.

Mr. Urie of New Hampton moved that the order whereby House Bill No. 269, relative to financing industrial waste treatment facilities, was referred to the committee on Municipal and County Government be vacated and that the bill be referred to the Joint committees on Municipal and County Government and the Resources, Recreation and Development.

Messrs. Urie of New Hampton and Deans of Milford spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Resolutions

Mr. Karkavelas of Dover offered the following resolution:

Resolved, that the Dover High School Choraleers consisting of seventy voices, be invited to sing before the House of Representatives, on Tuesday, March 28 at 11:01 A.M.

On a *viva voce* vote the resolution was adopted.

Mr. Quinn of Concord for the Concord Delegation offered the following resolution:

Resolved That Ralph A. Foote, Lieutenant Governor of Vermont, be invited to address the House of Representatives on Wednesday, April 19 at 11:01 o'clock.

On a *viva voce* vote the resolution was adopted.

Mr. Keefe of Portsmouth for the Portsmouth Delegation offered the following resolutions:

Whereas, the Portsmouth High School Basketball Team has won the Class L State Basketball Championship, therefore be it

Resolved, That we, the Members of the House of Representatives of the New Hampshire General Court, extend our heartiest congratulations to the Portsmouth High School Basketball Team, to Coach Gene Hunter and to Athletic Director George W. Ford, and be it further

Resolved, That the Clerk of the House transmit copies of these Resolutions to the Portsmouth High School, to Coach Hunter and to Director Ford.

On a *viva voce* vote the resolutions were adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

On motion of Mrs. DeLude of Unity the House adjourned at 12:21 o'clock.

THURSDAY, MARCH 9, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Oliver C. Northcott of the United Church of Christ, Penacook:

O Thou who are the Light of the World, the light that dispels darkness, the light that invades and dissipates ignorance, the light that creates life and restores it again when lifeless; since we are not creators of that Light but reflectors, make clear the face of the glass, we beseech Thee, that what is seen through us shall not be man's estimate of himself, but God's estimate of us, and His cosmic plan for the redemption of the whole world.

Amen

Pledge of Allegiance to the Flag

Mr. York of Concord led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. Ballam of Walpole was granted a leave of absence for the day to attend a funeral.

Mrs. Tarrant of Pittsfield and Messrs. Allen of Rindge, McCarthy of Laconia, Dempsey of Franklin, Downing of Newport, Reid of Milton, Brown of Loudon, Robertson of Gilman-ton and Rollins of Alton were granted leaves of absence for the day on account of the storm.

Mr. Lacaille of Laconia was granted leave of absence for the day on account of illness.

First and Second Reading of House Bills

HB 350, relative to liability in the operation of air navigation facilities (Pickett of Keene and Coutermarsh of Lebanon) to Judiciary.

Committee Reports

Mrs. Demers of Lebanon for the Committee on Education, HB 65, relative to checklists for co-operative school districts. Ought to pass with amendment.

Amend section 2 of the bill by striking out the words "sixty days after" and inserting in place thereof the word, upon, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect upon its passage. The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Perrault of Berlin for the Committee on Insurance, HB 115, relative to non-forfeiture benefits and reserve valuations of life insurance policies and contracts. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Healey of Manchester Ward 6 for the Committee on Judiciary, HB 170, establishing the office of judicial referee. Ought to pass.

The Chair referred the bill to the committee on Appropriations under the rules.

Mr. Bowler of Hanover for the Committee on Public Health, HB 106, relative to frozen desserts. Ought to pass with amendment.

Amend paragraph II of RSA 146:15-a as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

II. Regulations. The board may, when not inconsistent with existing law, adopt regulations setting forth definitions and standards of identity for frozen desserts, and shall adopt such regulations as may from time to time be promulgated under federal law. The board may make regulations setting standards of identity for quiescently frozen confections as well as setting bacterial standards for frozen desserts and quiescently frozen confections and for the ingredients from which they are made. The board may make regulations governing the sanitary requirements relative to the manufacture, distribution and sale of all such food products.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 132, changing the name of Crescent Island in Lake Winnepesaukee to Little Six Mile Island. Ought to pass.

At the request of Mr. Deans of Milford, Mr. Hunter of Hampton explained the bill.

(discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Chandler of Bartlett for the Committee on Ways and Means, HB 153, exempting mature timber from taxation when owned by municipality. Inexpedient to legislate.

Mr. Pickett of Keene moved that HB 153 be made a Special Order for Thursday next at 11:01 o'clock and spoke in favor of the motion.

Mrs. DeLude of Unity spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Senate Message

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 3, relative to protection at railroad crossings.

Senate Bill Read and Referred

SB 3, to Transportation.

Resolutions

Mr. Cormier of Somersworth for the Strafford County Delegation offered the following resolutions:

Whereas, Arthur J. Vincent, Representative from Somersworth has been ill at Glencliff Sanatorium for many months, therefore be it

Resolved, That we, the Members of the House of Representatives, hereby express our sympathy for our fellow member in his illness and our best wishes for a full and speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to Representative Vincent.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that all third reading of bills be by title only, and that when the House adjourns today it be to meet next Wednesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 65, relative to checklists for co-operative school districts.

HB 115, relative to non-forfeiture benefits and reserve valuations of life insurance policies and contracts.

HB 106, relative to frozen desserts.

HB 132, changing the name of Crescent Island in Lake Winnepesaukee to Little Six Mile Island.

On motion of Mrs. Hayward of Hanover the House adjourned at 11:42 o'clock.

WEDNESDAY, MARCH 15, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend Frank G. Kelly of the Bow Mills Methodist church, as follows:

O eternal God, creator and preserver of all mankind, and giver of all spiritual grace, send thy blessing upon those who are assembled here this day. We thank thee for the many blessings which thou hast given to our country; our homes, our land, and our freedoms. Grant that we may use these gifts and blessings for the service of all mankind, and in obedience to thy commandments. Grant thy guidance to all those in authority that they may endeavor to fulfill their duties with wisdom, goodness, and truth. Grant that law and order, justice and freedom, may everywhere prevail, to the honor of Thy Holy Name. Amen.

Pledge of Allegiance to the Flag

Mrs. Thompson of Northfield led the Convention in the Pledge of Allegiance to the Flag.

House

The Chair introduced a group of students from Tilton-Northfield High School, courtesy of Mr. Howe of Tilton and Mrs. Thompson of Northfield.

Leaves of Absence

Mr. Miskelly of Keene was granted leave of absence for the day on account of important business.

Miss Loizeaux of Plymouth was granted leave of absence for the day on account of illness.

Mr. Soucy of Manchester was granted leave of absence for the week on account of illness.

First and Second Reading of House Bills and Joint Resolutions

HB 351, relative to members of the racing commission (Kearns of Manchester) to Appropriations.

HB 352, relative to appeals for permanent state employees (Karkavelas of Dover) to Executive Departments and Administration.

HB 353, relative to the election of members of the Union School District in Concord (Davis of Concord and Welch of Concord) to the Concord Delegation.

HB 354, relating to the disinfection of public water supply systems (Mulaire of Hooksett) to Resources, Recreation and Development.

HB 355, providing for the classification of certain surface waters of the Otter brook watershed (McCullough of Keene) to Resources, Recreation and Development.

HB 356, pertaining to processed lobster meat (Mahony of Manchester) to Fish and Game.

HB 357, providing for filling vacancy in office of town clerk (Wylie of Fremont) to Municipal and County Government.

HB 358, to prohibit the pulling of lobster traps, pots and devices at certain hours (Dame of Portsmouth) to Fish and Game.

HB 359, to provide for the sale of quail (Dame of Portsmouth) to Fish and Game.

HB 360, relative to contractors carrying workmen's compensation for contracts for janitorial services for state buildings (Angus of Claremont) to Executive Departments & Administration.

HB 361, to provide for a maximum size for lobsters (Dame of Portsmouth) to Fish and Game.

HB 362, to provide extra facility licenses for the sale of lobster meat (Dame of Portsmouth) to Fish and Game.

HB 363, relative to education for intellectually retarded children (Hayward of Hanover, Faulkner of Keene and Pillsbury of Manchester) to Education.

HB 364, relative to school attendance (Berry of Barrington) to Education.

HB 365, to provide a uniform fee for lobster licenses (Dame of Portsmouth) to Fish & Game.

HB 366, relative to motor vehicle sales finance (Karkavelas of Dover) to Banks.

HB 367, relative to cancellation of certain insurance policies (Claveau of Hudson) to Insurance.

HB 368, relative to sales of liquor and beverages by hotels (Low of Hanover) to Liquor.

HB 369, relative to salaries of officers of domestic insurance companies (Hancock of Concord) to Insurance.

HJR 28, relative to operation and maintenance of Fort Dearborn state park (Clement of Rochester) to Finance.

HJR 29, providing for a study of credit life and credit accident and health insurance (Hancock of Concord) to Insurance.

Committee Reports

Mr. Burrill of Littleton for the Committee on Executive Departments and Administration, HB 246, relative to absentee voting. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Allan of Meredith for the Committee on Executive Departments and Administration, SB 36, to apply the principles of home rule to the establishing of salaries of city officials and employees. Ought to pass.

At the request of Mr. Hart of Manchester Mr. Bowles of Portsmouth explained the bill.

(discussion ensued)

Mr. Hart of Manchester moved that SB 36 be indefinitely postponed and spoke in favor of the motion.

Messrs. Bowles of Portsmouth, Coutermarsh of Lebanon and Mahoney of Manchester spoke against the motion.

On a *viva voce* vote the motion was not adopted and the bill was ordered to a third reading.

Mr. Healy of Manchester Ward 6 for the Committee on Judiciary, SB 28, relating to bonds for housing projects and redevelopment projects. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Cormier of Somersworth for the Committee on Military and Veterans Affairs, HB 228, relative to immunities of members of the national guard. Ought to pass with amendment.

Amend section 3 of the bill by striking out the words "sixty days after" and insert in place thereof the word, upon, so that said section as amended shall read as follows:

3 Takes Effect. This act shall take effect upon its passage. The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Desmarais of Jaffrey for the Committee on Municipal and County Government, HB 233, pertaining to taxation of fallout shelters. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 3, relative to definition of adulteration of milk and milk products.

HB 56, eliminating the requirement for certain reports of the State Board of Health.

HB 67, relative to taking beaver by the use of traps.

HB 126, authorizing selectmen and city councils to lay out limited access highways.

HB 152, relative to collection of taxes on real estate when such sale is of less than the whole estate.

HB 224, relative to the Amherst school district.

HJR 5, in favor of Harry L. Hurlbert.

HJR 6, for appropriation for carrying out provisions relative to regional agreements for educational facilities for New Hampshire residents.

SB 9, relative to the duties of the state historical commission as to erection of historical signs.

SB 25, relative to fees for fish and game licenses, and eliminating the so-called license stamp.

SB 27, relating to the salary of the mayor of the city of Nashua.

SB 46, relative to assessment of taxes.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 39, relative to superstructures over highways in cities and towns.

SB 41, empowering and authorizing the town of Derry to establish a department of public works.

SB 65, providing that the state of New Hampshire may enter into a compact with any of the New England states to provide for the control, development and execution of programs of cooperation for the confinement, treatment and rehabilitation of offenders.

SB 49, establishing a department of health and welfare and providing for the merger therein of certain departments and agencies within the state government.

Senate Bills Read and Referred

SB 39, to Public Works.

SB 41, to Public Works.

SB 65, to Judiciary.

SB 49, to Executive Departments and Administration.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and a joint resolution sent up from the House of Representatives:

HB 126, authorizing the selectmen and city councils to lay out limited access highways.

HB 67, relative to taking of beaver by the use of traps only.

HJR 5, in favor of Harry L. Hurlbert.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 4, relative to radiation protection.

Amend section 1 RSA 125:45 of said bill by striking out in line 2 thereof the word "shall" and inserting instead thereof the word, may, so that said line 2 shall read as follows: officer or his duly authorized representative may: (a) Administer this

On motion of Mr. Bowler of Hanover the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 5, in favor of Berton B. Hiller.

Senate Joint Resolution Read and Referred

SJR 5, to Finance.

The Speaker welcomed Mr. Seamons of Concord who, after a protracted illness, took his seat in the House today for the first time.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock today to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11 o'clock.

Afternoon Session**Third Readings**

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 246, relative to absentee voting.

HB 233, pertaining to taxation of fallout shelters.

HB 228, relative to immunities of members of the national guard.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 36, to apply the principles of home rule to the establishing of salaries of city officials and employees.

SB 28, relating to bonds for housing projects and redevelopment projects.

On motion of Miss Whipple of Lebanon the House adjourned at 12:07 o'clock.

THURSDAY, MARCH 16, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

O God, if there are any joined with us in prayer this moment who are troubled, let them feel encouragement from all of us. If there are any who now share with us our brief meditation and who are concerned that their hopes and dreams may be fulfilled, let them know the assurance of being part of a company of concerned men and women. Before Thee, we are all comrades sharing in a pilgrimage and adventure. So we would remember that we walk toward the same undiscovered country, some by one way, some by another, not always in step, yet all walking together. May it be that our lives will be expressive

of not only our several walks and ways, but also reflect in our relationships to each other our common humanity and our need for one another.

Amen.

Pledge of Allegiance to the Flag

Mr. Mulaire of Hooksett led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the 7th and 8th grade pupils of the Hooksett Village School as guests of the House today, courtesy of the Hooksett Representatives.

Leaves of Absence

Mr. Ingraham of Portsmouth was granted leave of absence for the day on account of important business.

Mrs. Carey of Manchester was granted leave of absence for two weeks on account of illness.

First and Second Reading of House Bills and Joint Resolutions

HB 370, relative to taking lobsters (Normandin of Laconia) to Fish and Game.

HB 371, relative to tobacco tax (Bowles of Portsmouth) to Ways and Means.

HB 372, relative to municipal elections in the city of Manchester (King of Manchester) to the Manchester Delegation.

HJR 30, providing special equipment to be used in searching for lost persons (Geisel of Manchester) to Public Works.

HJR 31, in favor of Nathan and Leona Mace (Committee on Rules — Spalding of Plainfield) to Finance.

Committee Reports

Mrs. Clark of Lee for the Committee on Executive Departments and Administration, HB 124, to establish a department of safety. Ought to pass with amendment.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Declaration of Purpose. The purpose of this act is to improve the administration of state government by providing unified direction of related functions in the field of public safety, a single highway patrol, consolidating criminal enforcement functions in the division of state police, and making possible increased economy and efficiency from the integrated administration and operation of these and other safety functions of the state government.

2 General Provisions. I. Upon the recommendation of the commissioner of safety the governor and council are authorized to approve such changes in internal administrative departmental organization as the governor and council find from time to time may improve or make more economical the administration of the department; provided, however, that no such change shall eliminate any then existing position within the classified services.

II. With the approval of the governor and council and of the personnel commission the commissioner of safety is authorized to transfer classified personnel, appropriations or portions thereof relating thereto as well as necessary equipment, within or between any division of the department; providing that no such transfer shall eliminate the classified position transferred. Vacancies in classified positions occurring after July 1, 1961 in any department functions to be transferred to the new department of safety shall not be filled without the approval of the governor and council. No permanent classified employee in the state service upon the effective date of this act shall be required to take an examination to remain in his position.

III. Except as may be specifically provided to the contrary in this act, nothing herein shall be construed to eliminate any position in the classified service of the state or to reduce existing salary or emoluments attendant upon any classified position.

3 Department of Safety. Amend RSA by inserting after chapter 106 the following new chapter:

Chapter 106-A
Department of Safety

106-A:1 Establishment. There shall be a department of

safety under the executive direction of a commissioner of safety, consisting of a division of state police, a division of motor vehicles and a division of safety services.

106-A:2 Commissioner of Safety. The executive direction of the department of safety shall be under a commissioner of safety, who shall be appointed by the governor and council. He shall hold office for a term of four years from the date of his appointment and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department of safety.

106-A:3 Directors of Divisions. Upon nomination of the commissioner of safety the governor and council shall appoint a director of motor vehicles, a director of state police and a director of safety services, each of whom shall serve for a term of four years from the date of his appointment and until his successor is appointed and qualified. Any vacancy in such office shall be filled for the unexpired term in the same manner as the original appointment. It shall be the responsibility of each director under the supervision of the commissioner to organize and direct the work of his division.

106-A:4 Salaries. The annual salaries of the commissioner of safety, the director of motor vehicles, the director of safety services and the director of state police shall be as provided in RSA 94 as hereinafter provided.

106-A:5 Motor Vehicle Department; Transfer. The motor vehicle department, established by RSA 259, as amended, and all its functions, powers and duties therein and otherwise set forth, together with its records, property and classified personnel, except as otherwise specifically provided herein, is hereby transferred to the department of safety, division of motor vehicles. The term of office of the commissioner and deputy commissioner of motor vehicles shall expire upon the appointment and qualification of the director of motor vehicles provided by section 3 of this chapter.

106-A:6 Substitution of Titles; General Application. Wherever the words "commissioner of motor vehicles" appear in the statutes they shall henceforth be construed to mean the director of the division of motor vehicles of the department of safety except where a different meaning is clearly apparent from the language or context.

106-A:7 Motor Vehicle Examiners; Transfer. All motor vehicle examiner positions authorized by RSA 259:17 within the existing motor vehicle department engaged in inspectional services, and all functions, powers and duties connected therewith, are hereby transferred to the department of safety, division of state police.

106-A:8 Road Toll and Financial Responsibility Administrators; Appointment. The director of motor vehicles, with the approval of the commissioner of safety, shall appoint the following assistants who shall serve during the pleasure of the commissioner.

I. A road toll administrator who shall assume, under the control of the director of motor vehicles, the responsibility of the administration of the motor vehicle road toll law. The director may delegate to said administrator authority to sign and execute any documents pertaining to his work and such documents so signed by the administrator shall have the same effect as though signed by the director;

II. A financial responsibility administrator who shall assume, under the control of the director of motor vehicles, the responsibility of the administration of the motor vehicle responsibility law. The director may delegate to said administrator authority to sign and execute any documents pertaining to his work and such documents so signed by the administrator shall have the same effect as though signed by the director.

106-A:9 Transfer of Personnel. The road toll administrator in office at the effective date of this act shall continue as road toll administrator within the department of safety, division of motor vehicles.

106-A:10 Passenger Tramway Safety Board; Transfer. The functions, powers and duties of the passenger tramway safety board, established pursuant to RSA 225-A (supp) are hereby transferred to the department of safety, division of safety services. From and after the effective date of this act, decisions and regulations of the passenger tramway safety board shall require the concurrence of the director of safety services.

106-A:11 Registration and Enforcement Functions and Personnel of Public Utilities Commission; Transfer. All of the revenues, functions, powers and duties heretofor held and exercised by the public utilities commission under the provisions

of RSA 270, except those prescribed in sections 7-10 of said chapter, are hereby transferred to the department of safety. All of the personnel of the public utilities commission primarily engaged in performing services required pursuant to said RSA 270 and those primarily engaged in the issuance of registration plates under the provisions of RSA 375 and 376, with the exception of the transportation director and two inspectors, to be designated by the public utilities commission, and likewise transferred to the department of safety.

106-A:12 Divisions. Those powers, duties, functions and personnel, relating to the registration of boats and motors, motor carriers of property and motor carriers of passengers, shall be within the division of motor vehicles, and all other revenues, duties, functions and personnel, transferred by section 11, shall be within the division of safety services.

106-A:13 Disposition of Revenues and Payment of Fees. All fees and fines collected under RSA 270 and all sums received from the state treasurer on account of the unrefunded motor vehicle road tolls shall be made available to the department of safety, division of safety services for the promotion of the safety of navigation and the administration and enforcement of RSA 270.

106-A:14 Supervision of Navigation, Duties of Department of Safety. Wherever the term "commission" is used in RSA 270, relative to navigation, it shall be construed to mean the director of safety services, department of safety. Wherever the words "public utilities commission" appear in RSA 149-A (supp) sections 6, 7, 8, 9 and 11, it shall be construed to mean department of safety, division of motor vehicles. Wherever the words "said commission" appear it shall be construed to mean said division.

106-A:15 State Board of Fire Control; Transfer. The state board of fire control, established pursuant to RSA 153, together with all of its powers, duties, authority and personnel, is hereby transferred to the department of safety, division of safety services. From and after the effective date of this act, decisions and regulations of the state board of fire control shall require the concurrence of the director of safety services.

106-A:16 Division of State Police; Transfer. All records, property and classified personnel of the department of state

police as of the effective date of this act are hereby transferred to the department of safety, division of state police. The term of office of the superintendent of state police shall expire upon the appointment and qualification of the director of state police established by section 3 of this chapter.

4 Division of State Police. Amend RSA by inserting after chapter 106-A, as hereinbefore inserted, the following new chapter:

Chapter 106-B
The State Police

106-B:1 Definitions. As used in this chapter:

- I. "Division" shall mean the division of state police.
- II. "Employee" shall mean any employee of the division.
- III. "Police Employee" shall mean any employee who is assigned to police work.
- IV. "Commissioner" shall mean the commissioner of safety.

106-B:2 Division of State Police. There shall be a division of state police within the department of safety. The head of the division shall be designated director and he shall be appointed by the governor and council upon the nomination of the commissioner of safety to serve for a term of four years, unless removed for cause, which in respect to this office shall consist of misconduct or incompetency. Misconduct shall include failure to competently perform his official duties, taking part directly or indirectly in a political campaign, rally, caucus or other political gathering, other than to vote, or failure to be of good behavior.

106-B:3 Qualifications of Director. The director shall be a citizen of the United States and have had experience in the investigation of crime and criminal prosecution at the time of his appointment, and have had experience in the enforcement of traffic laws.

106-B:4 Ranks and Qualifications; Establishment. The director of state police shall hold the rank of colonel. Within the division of state police there shall be not less than one major, two field officers with the rank of captain, six troop commanders with the rank of lieutenant, six assistant troop commanders with the rank of sergeant and six corporals-at-large. With the exception of classified personnel transferred to the division from the department of motor vehicles, every police

employee shall have had not less than five years' service within the department to become eligible for promotion of any type except from probationary status to trooper, and no member of the division with less than two years' service in a next lower rank shall be eligible for promotion to the next higher rank provided that no member of the division shall be eligible for promotion in any event, unless his record is free from the commission of any major infraction of divisional discipline within the last seven consecutive years of such service. In addition to the foregoing, the personnel commission, with the advice of the director, shall establish suitable classification for additional grades, positions and ranks and for each classification shall fix standards of health, education, training and experience, as well as the conduct and manner of taking of competitive examinations for promotion within the division.

106-B:5 Director's Authority. Any police employee may be suspended, discharged or demoted by the director for cause, with the approval of the commissioner of safety, but shall be entitled to a public hearing before discharge or demotion, but not suspension, if he so requests in writing addressed to the director not later than ten days after notice of said discharge or demotion.

106-B:6 Training Facilities and Requirements. With the approval of the commissioner of safety, the director shall arrange for the training of employees of the department and such training facilities as may be developed shall be available under such reasonable regulations as he may prescribe to any local governmental unit within the state.

106-B:7 Power to Make Regulations. The director shall have authority, with the approval of the commissioner of safety, to make such reasonable rules and regulations as may be desirable for the efficient administration of the division. He may, within the limits of the appropriation for said division, employ such civilian employees as may be necessary and determine their duties, and may require any employee to give bond.

106-B:8 Divisional Uniforms and Equipment. With the approval of the commissioner, the director shall provide for employees uniforms and equipment necessary to the performance of their duties, but all such property shall remain the property of the state. All employees of the division of state police when in uniform shall wear an identical uniform except

in respect to such markings as may be utilized to indicate rank. The director may sell such uniforms and equipment as shall have become damaged, obsolete or otherwise unserviceable and all moneys received therefor shall be paid into the state treasury. He shall maintain an inventory and shall charge against each employee the value of the property of the division issued to such employee. If it shall be determined by the director that any loss or destruction of such property was due to carelessness or neglect on the part of such employee, the value of such property shall be paid for by such employee and the amount thereof may be deducted from such employee's pay.

106-B:9 Traveling Expenses to be Allowed. With the approval of the commissioner, the director shall have authority to approve vouchers to be paid out of the division's funds in payment of expenses incurred by employees in the discharge of their duties.

106-B:10 Disposition of Fines and Forfeitures. Any fee for the performance of an act in line of duty or reward for the apprehension or conviction of any person, for the recovery of any property, received by or payable to an employee, shall be paid by him to the director of motor vehicles who shall immediately forward the same to the state treasurer. All fines and forfeitures assessed against any violator of any law of the state relative to the use and operation of motor vehicles apprehended or prosecuted by a police employee shall be sent, except as hereinafter provided, by the court collecting the same from such law violator to the director of motor vehicles within seven days from their payment, and by him immediately paid into the state treasury. The director of motor vehicles shall forward to the director of state police such information as he may direct relative to said fees and fines. In case of fines collected hereunder by a municipal court which would under the provisions hereof be payable to the director of motor vehicles the municipal court shall, before forwarding, deduct five dollars from each fine and ten percent of that part of the fine which exceeds five dollars. Said fines shall be disposed of as provided in RSA 502:14 (supp).

106-B:11 Cooperation with Other Police Forces. The director and employees shall cooperate and exchange information with any other law enforcement agency both within and without this state, including federal authorities, for the pur-

pose of preventing and detecting crime and apprehending criminals. With the approval of the commissioner of safety, the director may, on the request of any responsible official of any such agency, assist such official by detailing to him such police employees, for such length of time and under such conditions as the director may deem proper. The director shall designate for liaison with the offices of the sheriffs of Hillsborough and Rockingham counties in the investigations and prosecutions required by this chapter, not less than two police employees for each county and to the office of the sheriff of each of the other counties one police employee for said purposes.

106-B:12 Authority and Duties of Police Employees. Police employees shall be *ex-officiis* constables throughout the state, shall patrol the highways, enforce the highway traffic laws and regulations, enforce the motor vehicle laws relative thereto, and the director, division of state police, shall report to the director, division of motor vehicles, all violations of and prosecutions under the motor vehicle laws. Police employees shall have general power to enforce all criminal processes and make arrests, under proper warrants, in all counties. They shall not serve civil processes. No police employee shall act, be used or called upon for service within any town in any industrial dispute unless actual violence has occurred therein, and then only upon order of the governor. When any police employee shall apprehend any person who has committed or attempted to commit a felony the director shall immediately make a report to the attorney and the sheriff of the county in which the offense was, or was suspected of being, committed and such cases shall be investigated and prosecuted by said county officials with the cooperation of said police employees.

106-B:13 Power to Take Identification Data. The employees shall have authority to take fingerprints and, in addition thereto, such identification data as shall be prescribed by the superintendent of all persons taken into custody by them in the discharge of their duties.

106-B:14 Criminal Records, Reports. With the approval of the commissioner of safety, the director shall make such rules and regulations as may be necessary to secure records and other information relative to persons who have been convicted of a felony or an attempt to commit felony within the state, or who are known to be habitual criminals, or who have been placed

under arrest in criminal proceedings. Such records and information shall not be open to the inspection of any person except those who may be authorized to inspect the same by the director. The clerks of the superior and municipal courts, or if there is no clerk the justice thereof, sheriffs, deputy sheriffs, police officers, jailers, and superintendents of houses of correction shall secure and forward to the director all such information as he may direct relative to persons brought before said courts or arrested or in the custody of such officers. Any person violating the provisions of this section or any rule or regulation made hereunder shall be fined twenty-five dollars for each offense.

106-B:15 Restrictions in Municipalities. A police employee shall not act within the limits of any town or city having an organized police force, except when he witnesses a crime or is in pursuit of a law violator or suspected violator, or when in search of a person wanted for a crime committed outside its limits, or when in search of a witness of such crime or when requested to act by an official of another law enforcing agency, as provided under section 11, or when ordered by the governor.

106-B:16 Annual Report and Special Reports. On or before July thirty-first in each year the director shall make a report as of June thirtieth to the commissioner of safety, with a copy to the governor, concerning the activities of the division. The report shall include such recommendations as the director and the commissioner of safety may deem desirable. Upon request of the governor, or upon his own initiative, the director may at any time submit special reports.

5 Salaries. Amend RSA 94:1 (supp) as amended by 1955, 153:2, 321:1, 323:4, 6, 335:8, 1957, 90:1, 223:2, 274:4, 7, 315:2, 1959, 199:4, and 268:12, by striking out the following lines: "Motor vehicle commissioner, Minimum \$8866, maximum, \$10192" and "Superintendent, state police, minimum 8866, maximum 10192" and inserting in the proper alphabetical place the following salaries:

	Minimum	Maximum
Commissioner of safety	\$12800	\$14800
Director of motor vehicles	9800	11800
Director of safety services	8800	10800
Director of State police	9800	11800

6 Transfer of Funds. Any funds provided in the appropriation acts for the year ending June 30, 1962 and the year ending June 30, 1963, relating to services and facilities transferred to the department of safety are hereby deemed to be appropriated for the same purposes in the new department of safety established herein. Provided, however, that specific sums appropriated for unclassified personnel, where the positions have been changed as to title and duties by this act, shall be deemed to be appropriated for unclassified positions in the new department hereby created, as the governor and council shall approve.

7 Appropriation. In addition to other funds made available to the department of safety there is hereby appropriated the sum of thirteen thousand, two hundred dollars for the fiscal year ending June 30, 1962, or so much thereof as may be necessary, for the salary of the commissioner of safety, and the sum of thirteen thousand and six hundred dollars is hereby appropriated for the fiscal year ending June 30, 1963, for the salary of the commissioner of safety.

8 Retirement Benefits. Any person who is a member of the employees retirement system at the effective date of this act and who, because of the terms of this act shall be transferred and be reclassified as a member of the division of state police shall have an option to continue his membership in the state employees retirement system or may transfer his membership in said system to the police retirement system in accordance with the provisions of RSA 100:23 and 100:24.

9 Repeal. I. RSA 259:18, 19 and 20, relative to the powers and duties of motor vehicle examiners, are hereby repealed.

II. RSA 259:2, 3 and 4, relative to a commissioner of motor vehicles, are hereby repealed.

III. RSA 259:7 and 8, relative to assistants in the department of motor vehicles, are hereby repealed.

IV. RSA 376:24, relative to motor carriers of passengers, is hereby repealed.

V. RSA 106, relative to the department of state police, is hereby repealed.

10 Motor Carriers. Amend RSA 376:28 by adding at the end thereof the words, except that the costs of issuance of registration plates shall be paid therefrom to the department of

public safety, division of motor vehicles, so that said section as amended shall read as follows: **376:28 Disposition of Revenues.** All fees and fines collected pursuant to the provisions of this chapter and chapter 375, RSA, shall be made available to the commission in a joint account for the purposes of administration and enforcement of this chapter and chapter 375, except that the costs of issuance of registration plates shall be paid therefrom to the department of public safety, division of motor vehicles.

11 Registration Certificates. Amend RSA 375:2 by striking out said section and inserting in place thereof the following: **375:2 Common Carrier Registration.** No person, corporation, partnership, association, railroad or railway company, shall operate any motor vehicle, not running upon rails or tracks, upon any public highway transporting property for hire as a common carrier, between points within this state, without first obtaining a registration certificate and special number plates from the department of safety, division of motor vehicles and payment of the fee therefor as hereinafter prescribed. Before applying for such registration certificate and special number plates, the applicant shall file with the public utilities commission, hereinafter called the commission, the following:

I. The schedule of rates to be charged applying to the service of transportation to be rendered.

II. An indemnity bond or insurance policy which shall adequately provide for the reasonable protection of the owner or owners of the property transported.

III. The routes over the highways within the state over which it is proposed to operate said motor vehicle or vehicles as common carriers.

If the indemnity bond or insurance policy is satisfactory the commission shall not certify to the division of motor vehicles, and the division of motor vehicles shall issue a registration certificate and special number plates upon the payment of said fee.

12 Contract Carriers. Amend RSA 375:3 by striking out the same and inserting in place thereof the following: **375:3 Contract Carrier Registration.** The term contract carrier as used herein shall include every person, firm, or corporation transporting property for hire by motor vehicle on any public

way in this state, other than common carriers, those transporting products of their own manufacture or labor, and those exempt in section 4. Whether or not any person, firm or corporation is so transporting property shall be a question of fact. No contract carrier shall operate any motor vehicle for the transportation of property for hire on any public way between points within this state without first obtaining a registration certificate and special number plates from the department of safety, division of motor vehicles, and payment of the fee therefor as hereinafter prescribed. If any contract carrier operates upon any public way in this state in competition with any common carrier or common carriers, such contract carrier shall file with the commission the rates, rules, or regulations applying to such service, provided, however, that such filing shall not be necessary if property is to be transported for any common carrier when the rates charged the public for the transportation of such property are filed with the commission.

13 Payment of Fees. Amend RSA 375:8 (supp) as amended by 1959, 277:1 by striking out said section and inserting in place thereof the following: **375:8 Fees.** There shall be paid to the department of safety, division of motor vehicles annually the following fees:

I. For each application for registration certificate and number plates as a common carrier, five dollars;

II. For each application for registration certificate and number plates as a contract carrier, three dollars;

III. For each transfer of a motor vehicle registration certificate of a common or contract carrier of property, one dollar;

IV. A copy of said certificate and the number plates shall at all times be displayed on each motor vehicle to which they are assigned. Plates shall not be changed from one vehicle to another without the consent of the commission and certification thereof to the division of motor vehicles. No certificate issued hereunder shall be effective after midnight upon the thirty-first day of March next following the date of its issue. The department of safety, division of motor vehicles, shall deduct from the fees received hereunder the actual cost of issuing such registration certificate and number plates, and shall forward the balance to the commission to be used by it in the administration of this chapter.

14 Revocation and Suspension. Amend RSA 375:10 by striking out the same and inserting in place thereof the following **375:10 Revocation.** The public utilities commission shall have authority, after notice and hearing, to cause to be suspended or revoked any registration certificate issued in accordance with the provisions of this chapter for violation of the provisions hereof. Upon a determination that such registration certificate should be suspended or revoked the commission shall so certify to the division of motor vehicles, and said division shall thereupon revoke such registration certificate or suspend the same for the period specified by the commission.

15 Certificates of Motor Carriers; Suspension; Change and Revocation. Amend RSA 376:10 by inserting at the end thereof the following sentence, whenever the commission shall suspend, revoke or terminate such certificate, it shall so certify to the division of motor vehicles, and said division shall thereupon revoke or terminate the registration of each vehicle operated under the provisions of such certificate or permit issued under the provisions of RSA 376:24, or suspend the same for such period as the commission shall designate in such certification, so that said section, as amended, shall read as follows:

376:10 Suspension, Change and Revocation of Certificates and Permits. Certificates and permits issued under the provisions of this chapter authorizing operations as a motor carrier shall be effective from the date specified therein and shall remain in effect until suspended, revoked or terminated as herein provided. The commission may, after notice and hearing, upon application or upon its own initiative amend, suspend, or revoke any such certificate or permit, in whole or in part, for wilful failure to comply with any provision of this chapter or with any lawful order, rule or regulation of the commission promulgated thereunder or with any term, condition or limitation of such certificate or permit. Whenever the commission shall suspend, revoke or terminate such certificate, it shall so certify to the division of motor vehicles, and said division shall thereupon revoke or terminate the registration of each vehicle operated under the provisions of such certificate or permit issued under the provisions of section 24, or suspend the same for such period as the commission shall designate in such certification.

16 Motor Carriers of Passengers. Amend RSA 376:24 by striking out the same and inserting in place thereof the fol-

lowing: **376:24 Vehicles to be Registered.** Each motor carrier holding a certificate or a permit under the provisions of this chapter shall annually apply to the department of safety, division of motor vehicles, on blanks to be furnished by it, for the registration of each vehicle operated under the provisions of such certificate or permit and pay to said department fees as provided for in section 25. Upon receipt of such application and fee a distinguishing number plate or plates and registration certificate shall be furnished by the division for each vehicle applied for and said plates shall be prominently displayed on the vehicle in such manner as the director of the division shall prescribe. No such plates shall be transferred from one vehicle to another, except upon authority and with the consent of the public utilities commission which said authority and consent shall be certified by the commission to the division, and the payment of the fees prescribed in said section 25. Registration certificates and number plates issued under the provisions of this section shall be used coincidental with, and shall expire with the corresponding registration certificate and number plates issued by the division of motor vehicles, department of safety, of this state under the provisions of title XXI, RSA; provided, however, that if the vehicle so registered as a motor carrier is not registered with the division of motor vehicles, department of safety of this state under said title XXI, said carrier registration certificate and number plates shall expire on March thirty-first next following the date of issue.

17 Takes Effect. Insofar as the limitation on filling vacancies is concerned, as set forth in paragraph II of section 2 of this act, the effective date shall be July 1, 1961. The remaining provisions of this act shall take effect July 1, 1962, unless the governor by proclamation prescribes an earlier effective date which, however, shall not be earlier than July 1, 1961, in which event said remaining provisions shall take effect on the date so prescribed by the governor.

Mr. Hill of Littleton spoke in favor of the amendments as printed in the Journal of March 9th, pages 16 through 29.

(discussion ensued)

On a *viva voce* vote the amendments were adopted.

Mr. King of Manchester offered the following amendment and moved its adoption.

Further amend said bill by striking out section 106-B:2, as inserted by section 4 of the bill, and inserting in place thereof the following:

106-B:2 Division of State Police. There shall be a division of state police within the department of safety. The head of the division shall be designated director and he shall be appointed by the governor and council upon the nomination of the commissioner of safety to serve for a term of four years. The commissioner of safety, the director of state police, the director of motor vehicles and the director of safety services may be removed for cause which shall consist of misconduct or incompetency. Misconduct shall include failure to competently perform their respective office duties, contribute directly or indirectly to any political candidate or political party, taking part directly or indirectly in a political campaign, rally, caucus, or other political gathering, other than to vote, or failure to be of good behavior. This section shall be strictly construed to effectuate its purposes.

The Clerk read the amendment in full.

Mr. King of Manchester spoke in favor of the amendment.

Messrs. Peterson of Peterborough and Bowles of Portsmouth spoke against the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was not adopted.

Mr. King of Manchester requested a division vote.

A division vote showing 122 members voting in the affirmative and 206 members voting in the negative, the amendment was not adopted, and the Chair referred HB 124 to the committee on Appropriations under the rules.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, HB 281, to repeal the real estate brokers licensing law. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, HB 278, to abolish the legislative council. Inexpedient to legislate.

Miss Collyer of Lisbon moved that the words, Ought to Pass, be substituted for the resolution of the committee, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Plumer of Bristol spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion was not adopted and the resolution of the committee was adopted.

Mr. Gove of Concord for the Committee on Judiciary, HB 184, relative to commitment of minors to the industrial school. Inexpedient to legislate.

Mr. Healy of Manchester Ward 8 moved that the words "Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Messrs. Gove of Concord and Normandin of Laconia spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion to substitute was lost and the resolution of the committee was adopted.

Recess

After Recess

Mr. Hancock of Concord for the Committee on Insurance, HB 167, relative to the cancellation of accident and health insurance policies. Ought to pass with amendment.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Insurance and Health Insurance. Amend RSA 415 by inserting after section 15 the following new section: **415:15-a Cancellation of Policies.** After one year from its date of issue or the date of its last reinstatement no insurer shall refuse to renew an individual or family policy of hospitalization or surgical or medical expense insurance except for fraud in applying for the policy. After a one year period in no event shall any insurer refuse to renew any such policy because of a change in the physical or mental condition or the health of any person covered thereunder. Furthermore, after such period no insurer shall require as a condition for the renewal of any such policy any rider, endorsement, or other attachment which shall limit

the nature or extent of the benefits provided thereunder. The commissioner shall require every insurer to file with him such documents, statistics or other information regarding the refusal to renew permitted by this section as he may deem necessary for the proper administration of this section.

Minority, Inexpedient to Legislate. Mr. Varney of Rochester, Mr. Taylor of Ossipee and Mr. Williamson of Goshen.

Mr. Williamson of Goshen moved that HB 167 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mr. Paquette of Ashland spoke against the motion.

Mr. Wildey of Westmoreland spoke in favor of the motion.

Mr. Coutermarsh of Lebanon spoke against the motion.

Mr. Varney of Rochester spoke in favor of the motion.

Mr. Taylor of Ossipee spoke in favor of the motion.

(discussion ensued)

Mr. Moore of Bradford spoke against the motion.

Mr. MacIsaac spoke in favor of the motion.

Mr. Pillsbury spoke in favor of the motion.

(discussion ensued)

Mr. Hancock of Concord spoke against the motion.

Messrs. Quinn of Concord, Daniel of Franklin, and Pickett of Keene spoke in favor of the motion.

(discussion ensued)

Mr. Paquette of Ashland spoke a second time against the motion.

Mr. Hambleton of Goffstown moved the previous question, and it was sufficiently seconded. On a *viva voce* vote, the motion prevailed.

The question being on the motion that HB 167 be indefinitely postponed.

Mr. Pillsbury of Manchester asked for a division.

186 members having voted in the affirmative, and 151 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mr. Belanger of Manchester asked the yeas and nays.

YEAS 181

HILLSBOROUGH COUNTY: Wiggin of Bedford, Bartlett, Hambleton, Jennings of Goffstown, Taft, Pickering, Eaton, Brocklebank, Ainley, Lang, Pettigrew, Mahony, Pillsbury, Bruton, Hayes, Burke, Cullity, Nolan, Linehan, Manning, Haseltine, Falconer, Hayward of Milford, Buckley, Cole, Cooper, Locke, Peabody, Peterson, Willard, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Clark of Harrisville, Stearns, Desmarais, Haley, Parker, Bennett, Brown of Keene, Faulkner, Miskelly, Pickett, Oliver, Allen of Rindge, Crain, Congdon, Ballam, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Nahill, Guest, Williamson, Bailey, Downing, Rowell, Vaughan, Spalding.

GRAFTON COUNTY: Gilbert, Stevenson, Willey, Chandler of Canaan, Johnson of Franconia, Bowler, Hayward of Hanover, Neale, Karsten, Adams of Lebanon, Porter, Whipple, Collyer, Burrill, Hill of Littleton, Martin, Haskins, Barney, Avery, Bradley.

COOS COUNTY: Bouchard, Marsh, Oakes, Emerson, Kimball of Jefferson, Bragg, Potter of Milan, Converse, Brooks, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: Scott of Derry, Nickerson of East Kingston, Tufts, Weeks, Spollett of Hampstead, Casassa, Shepard, Jenkins, Cheney, Pinkham, McDaniel, Driscoll, Bowles, Dame, White of Portsmouth, ward 4, White of Portsmouth, ward 5, Cross, Greene of Rye, Magoon, Peever, Roulston, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Wiggin of Dover, Fellows, Flanagan, Heald, Drew, Clark of Lee, Reid, Rolfe, Maxfield, Watson of Rochester, Potvin, Johnson of Rochester, Clement, Varney, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Robertson, Lacaille, McCarthy, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Brown of Sandwich, Nickerson of Tamworth, Fox, Chamberlain.

MERRIMACK COUNTY: Keneval, Hanson, Henry, Gibson, Bingham, Lovejoy, Peaslee, Quinn, Sanders, Barnard, Gove, Newell of Concord, Welch, Jennings of Concord, Stevens, Daniell of Franklin, Gilman of Franklin, Carpenter, Broek, Mulaire, Brown of Loudon, Tarrant, Bigelow.

NAYS 181

HILLSBOROUGH COUNTY: Bragdon, Aucella, Farwell, Nickerson of Goffstown, Claveau, Gallagher, Provencal, Warren, Geisel, Martel, Walsh, Clancy, Dupont, Healy of Manchester, ward 6, O'Conner, LaFrance, LeClerc, Plante, Tessier, Compagna, Cote, Delisle, Morris, Belanger, King, Noel, Roche, Dumas, Lemay, Levasseur, Nalette, Allard, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Crowley, Gamache, Vachon, Deans, Underhill, Dionne of Nashua, ward 2, Rosedoff, Kirkorian, Brosnahan, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, LaVallee, Sabliski, Bouthillier, Karnis, Rice.

CHESHIRE COUNTY: Cournoyer, Keating, Terrill, Kreto-
wicz, Hackler, Galloway.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Angus, Campbell, Barrows, D'Amante, Desnoyer, Weber, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Plumer, Morse, Gage, Low, Lamott, Larty, Beard, Coutermarsh, Demers, Cushman, Kinghorn, Bell, Anderson, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Vashaw, Fontaine, Gagnon, Ledoux, Crockett, Graham, Shute, Bushey, Potter of Northumberland.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Gay,

Kimball of Derry, White of Derry, Hackett, Collishaw, Eastman of Exeter, Purington, Wylie, Hunter, Clark of Kingston, Hislop, Sewall, Twardus, Carter, Palmer, Murch, Stafford, Osborn, Chandler of Portsmouth, Carkin, Langford, Felch.

STRAFFORD COUNTY: Blanchette, Leighton, Grimes, O'York, Stonemetz, Colbath, Richardson, Bevan, Littlehale, Gilman of Farmington, Adams of Madbury, Marsan, St. Pierre, Maloomian, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Matheson, Lord, Harkins, Normandin, Ayre, Prescott, Stothart, Dulac, Urie.

CARROLL COUNTY: Kurth, Claflin.

MERRIMACK COUNTY: Guilbeault, Phelps, Moore, Hutchinson, Allen of Concord, York, Audet, Hancock, Seamans, Brown of Danbury, McKay, Charland, Dempsey, Thompson of Northfield, Thibeault, Brewster, Keith.

And the vote being tied, the Chair declared that the motion to indefinitely postpone was lost.

Mr. Coutermarsh of Lebanon moved that HB 167 be re-committed to the Committee on Insurance, and spoke in favor of the motion.

Mr. Hancock of Concord spoke in favor of the motion.

On a *viva voce* vote, the motion prevailed.

Mr. Pickett of Keene called for the Special Order on HB 153, exempting mature timber from taxation when owned by municipality.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote, the motion prevailed.

Report of Engrossed Bills Committee

Mrs. Kinghorn of Piermont for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 79, relative to pari mutuel pools at horse races.

HB 129, relating to the installation of public telephones on streets and public ways.

HB 144, in relation to Dartmouth College trustees.

Senate Message

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 10, relative to penalty for intimidation of state officials and employees.

SB 87, to appropriate sufficient money to enable the state to make an equal contribution to the local communities to the expense of establishing an Eastern Slopes Regional Airport.

SB 13, relative to variance in federal census figures for the apportionment of state representatives.

Senate Bills Read and Referred

SB 10, to the Committee on Judiciary.

SB 87, to the Committee on Appropriations.

SB 13, to the Committee on Judiciary.

Further Message

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 95, relative to emergency admissions to state hospital.

HB 96, relative to commitment, discharge and temporary absences of the mentally ill.

HB 123, to repeal the capital reserve fund for the public library annex in Nashua.

HB 129, relating to the installation of public telephones on streets and public ways.

HB 144, in relation to Dartmouth College trustees.

HB 122, relating to the protection of public water supply sources.

HB 79, relative to pari mutuel pools at horse races.

Mrs. Brown of Sandwich offered the following Concurrent Resolution:

Resolved, that the House of Representatives, the Senate concurring, invite the Polyphonic Choir of the Plymouth Teachers College to sing before the Joint Convention on Tuesday, April 11, at 11:01 a.m.

On a *viva voce* vote, the Concurrent Resolution was adopted.

Mr. Chandler of Bartlett moved that the House adjourn from the morning session.

On a *viva voce* vote, the motion was adopted.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit the third reading of bills to be by title only, and that when the House adjourns today, it be to meet tomorrow morning at 11 o'clock.

On motion of Miss Demers of Lebanon the House adjourned at 3:29 o'clock.

FRIDAY, MARCH 17, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain as follows:

We pause on Saint Patrick's Day to pay honor to the patron saint of Ireland, and to the festive joy of the sons and daughters of the Emerald Isle. All the world is made glad in the light-hearted gladness of these people. Their love of stories recalls the effect of the Blarney Stone and tells the tales of mischievous little people. In a solemn world we are thankful, O Lord, for the opportunity to share with others the rejuvenating experience of cheer, remembering that often it is that a smile is a curve that sets things straight.

Amen.

Pledge of Allegiance to the Flag

Messrs. Brosnahan of Nashua and Pinkham of Northwood led the Convention in the Pledge of Allegiance to the Flag.

House

The Chair introduced the following as guests of the House today:

A group of students from the Wilton High School, courtesy of Mr. Draper of Wilton.

A group of students from Coe-Brown Academy of Northwood, courtesy of Mr. Pinkham of Northwood.

Leaves of Absence

Mr. Porter of Lebanon was granted leave of absence for the day on account of important business.

Mr. Parker of Keene was granted leave of absence for the day on account of a death in the family.

First and Second Reading of House Bills

HB 373, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1962 (Goode of Manchester and Chandler of Bartlett).

HB 374, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1963 (Goode of Manchester and Chandler of Bartlett).

HB 375, to license and regulate the business of making loans in sums of twenty-five hundred dollars or less at a greater rate of charge than six per cent per annum Rules — (Pickett of Keene) to Banks.

HB 376, relative to small loans (Hancock of Concord) to Banks.

Committee Reports

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 17, relative to uniform season for taking deer and limiting the number of male deer to be taken. Inexpedient to legislate.

At the request of Mr. Chandler of Bartlett, Mr. Spalding of Plainfield explained the bill.

Mr. Hill of Conway moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Hill of Conway withdrew his motion.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Gilman of Franklin for the Special Committee consisting of the Members from the City of Franklin, HB 263, relative to the fire department of the city of Franklin and to the salary of the city treasurer. Ought to pass.

Mr. Pillsbury of Manchester spoke in favor of the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Gove of Concord for the Committee on Judiciary, HB 131, relative to chemical test for intoxication. Inexpedient to legislate.

Mr. Pillsbury of Manchester moved that HB 131 be referred to the Judicial Council and spoke in favor of the motion.

Mr. Bowler of Hanover spoke in favor of the motion.

On a *viva voce* vote HB 131 was referred to the Judicial Council for further study.

Mrs. Ainley of Manchester for the Committee on Judiciary, HB 147, relative to the eligibility for release on parole at the expiration of the minimum term. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bingham of Concord for the Committee on Judiciary, HB 193, to redistrict the state into councilor districts. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Healey of Manchester Ward 6 for the Committee on Judiciary, HB 221, relative to driving while under the influence of intoxicating liquors. Inexpedient to legislate.

Mr. Buckley of Mont Vernon moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Messrs. Healey of Manchester Ward 6 and Normandin of Laconia spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion was not adopted.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 266, to operation of motor boats on Little Diamond Pond. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. White of Portsmouth Ward 4 for the Special Committee consisting of the Members from the city of Portsmouth, HB 258, relative to the personnel advisory board of the city of Portsmouth. Inexpedient to legislate. Minority, ought to pass.

Messrs. Keefe, Ingraham, Bowles and Chandler of Portsmouth.

Mr. Keefe of Portsmouth moved that the words, Ought to Pass be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Murch of Portsmouth moved that HB 258 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mrs. White of Portsmouth Ward 4 spoke in favor of the motion.

On a *viva voce* vote the motion to indefinitely postpone was adopted.

Mr. Ingraham of Portsmouth demanded the Yeas and Nays, and subsequently withdrew his request.

Resolutions

Mr. Bigelow of Warner, for the committee on Banks, offered the following resolutions: requesting the opinion of

the Supreme Court on the constitutionality of House Bill No. 225.

Whereas, there is now pending before the House of Representatives House Bill No. 225, An Act relative to state guarantee of mortgages on industrial buildings, therefore be it

Resolved, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following question:

Does said bill conflict with or violate the New Hampshire Constitution in any of its provisions? and be it further

Resolved, That the Speaker of the House transmit to the Clerk of the Supreme Court six copies of this resolution and of House Bill No. 225.

Mr. Pillsbury of Manchester moved that the resolutions be made a Special Order of business for 11:01 on Tuesday next.

On a *viva voce* vote the motion was adopted.

Committee of Conference Report

The Committee of Conference, to whom was referred Senate Bill 23, An Act relating to the American flag, having considered the same, report the same with the recommendation that the Senate recede from its position of nonconcurrence in the adoption of the amendment offered by the House of Representatives, and that the House recede from its position in adopting its amendment, and that the Senate and House concur in the adoption of the following amendment:

1 Amend RSA 572:23 by striking out all of section 23 and inserting in its place the following:

572:23 Removing Flag. No person shall remove, without permission of the cemetery authority or selectmen, an American flag which is in an unserviceable condition or marker from the grave of any person who served in the armed forces of The United States during any war unless he shall replace the same with a new American flag or marker. Any person violating the provisions of this section shall be fined fifty dollars.

Paul Y. LaMott
Charles E. Daniel
Edgar G. Varney

Conferees of the House of Representatives

N. A. McMeekin

Laurier Lamontagne

Conferees of the Senate

At the request of Mr. Deans of Milford, Mr. LaMott of Haverhill explained the report.

(discussion ensued)

On a *viva voce* vote the report of the conference committee was accepted.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 78, relative to investments legal for trustees.

SB 79, relative to investments legal for guardians and conservators.

SB 80, relative to the homestead right of minor children.

Senate Bills Read and Referred

SB 78, to Judiciary.

SB 79, to Judiciary.

SB 80, to Judiciary.

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal and spoke in favor of the motion.

(discussion ensued)

Messrs. Coutermarsh of Lebanon and King of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Committee Report

Mr. Roberts of Conway for the Committee on Appropriations, SB 87, to appropriate sufficient money to enable the

state to make an equal contribution to the local communities to the expense of establishing an Eastern Slopes Regional Airport. Ought to pass.

The Clerk read the bill in full.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Shepard of Londonderry moved that the rules of the House be so far suspended as to allow the Chair to sign SB 87 before it is processed by the Engrossed Bills committee.

On a *viva voce* vote the motion was adopted.

Senate Message

The Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 52, to authorize towns to adopt fire prevention code by reference.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 27, for emergency location of state and municipal government.

A further Senate message announced that the Senate has adopted the following concurrent resolution in the passage of which it asks the concurrence of the House:

Concurrent resolution congratulating the Legislature of Maine on the occasion of their 100th Anniversary.

Mr. King of Manchester moved that the concurrent resolution be made a Special Order for 11:02 on Tuesday next.

On a *viva voce* vote the motion was adopted.

Resolutions

Mr. Goode of Manchester offered the following resolution:

Whereas, we have learned of the illness and confinement

in the Concord Hospital of one of our members, Emile J. Soucy of Manchester, and

Whereas, we miss the affable presence of our fellow member, therefore be it

Resolved, that we, the members of the House of Representatives in General Court convened, do hereby extend our sympathy to Mr. Soucy with a hope that he may soon return to his duties as a representative, and be it further

Resolved, that a copy of these resolutions be transmitted to Mr. Soucy.

On a *viva voce* vote the resolutions were unanimously adopted.

Recess

Mr. Pickett of Keene led the House in informal remarks and singing in the observance of St. Patrick's day.

After Recess

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 263, relative to the fire department of the city of Franklin and to salary of the city treasurer.

HB 147, relative to the eligibility for release on parole at the expiration of the minimum term.

SB 87, to appropriate sufficient money to enable the state to make an equal contribution to the local communities to the expense of establishing an Eastern Slopes Regional Airport, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Miss Collyer of Lisbon the House adjourned at 1:22 o'clock.

TUESDAY, MARCH 21, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, George Pennington, as follows:

Eternal God, from farmland and busy cities, out of the valleys and away from the shore, in company with others and alone, we have gathered here to do the work of representative government, pausing now for a moment to commune in prayer with Thee. While we do this together and our prayer is audible, yet our prayer is the exercise of heart and mind and each of us is made one with Thee. Let our sense of indebtedness and praise for the gift of life and its many blessings carry beyond this moment into our work that our words and deeds may reflect the reverence we feel. Let our sense of recommitment to cherished values and ideals continue in the hours that are before us that we may do our important work with the dedication of which we are capable.

Amen.

Pledge of Allegiance to the Flag

Mr. Eastman of Exeter led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group of seniors of the Lebanon High School class on Government and World Affairs, courtesy of the Lebanon Delegation.

A group of 8th grade students from New Ipswich, courtesy of Mr. Karnis of New Ipswich.

Leaves of Absence

Mr. Casassa of Hampton was granted leave of absence for the day on account of important business.

Messrs. Willard of Temple and Nickerson of Tamworth were granted leave of absence for the week on account of illness.

Messrs. Carmen and Martel of Manchester were granted leave of absence for the week on account of important business.

Mr. Langford of Raymond was granted leave of absence for the day to attend a funeral.

First and Second Reading of House Bills and Joint Resolutions

HB 377, to provide for expansion of the state park system (Burrill of Littleton, Hill of Littleton, Martin of Littleton, McGee of Lincoln, Stevenson of Bethlehem, Collyer of Lisbon, Johnson of Franconia, Rosedoff of Nashua) to Resources, Recreation & Development.

HB 378, providing for a referendum for dissolving the Hillsborough Bridge Village Fire Precinct and transferring its functions to the town of Hillsborough (Eaton of Hillsborough) to Municipal and County Government.

HB 379, relative to lapses of industrial life insurance policies (Hancock of Concord) to Insurance.

HB 380, relative to the salary for the register of deeds for Hillsborough County (Hambleton of Goffstown and Taft of Greenville) to Municipal and County Government.

HB 381, repealing the taxation of livestock and poultry (Frizzell of Charlestown) to Ways and Means.

HB 382, relative to the construction of a dining hall at the University of New Hampshire, cost to be liquidated from income (Normandin of Laconia) to Education.

HJR 32, in favor of Leon J. Brown (Hanson of Bow) to Finance.

Committee Reports

Mr. Collishaw of Exeter for the Committee on Liquor Laws, HB 198, relative to the sale of liquor and beverages on

Sundays and on election days while the polls are open. Ought to pass.

At the request of Mrs. Frizzell of Charlestown, Mr. Collishaw of Exeter explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Collishaw of Exeter for the Committee on Liquor Laws, SB 30, relative to qualifications for the serving of liquor of beverages. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Geisel of Manchester for the Committee on Banks, HB 273, relating to trust companies. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Geisel of Manchester for the Committee on Banks, HB 175, relative to entrance fees of credit unions. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, HB 94, relative to violations of hunting laws by minors under eighteen years of age. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to violations of hunting and boating laws by minors sixteen years of age or over.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Hunting and Boating Laws. Amend paragraph II of RSA 169:30 by striking out the same and inserting in place thereof the following: II. As applying in the case or cases of persons sixteen years of age or over who are charged with the violation of a motor vehicle law, an aeronautics law, a law relating to navigation of boats or a game law that pertains to hunting any wild bird or wild animal of any kind.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, HB 143, relating to violation of boating law by juveniles. Inexpedient to legislate, subject matter covered by other legislation.

On a *viva voce* vote the resolution was adopted.

Mr. Emerson of Dalton for the Committee on Municipal and County Government, HB 231, relative to the salary of the justice of Northumberland municipal court. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Hanson of Bow for the Committee on Municipal and County Government, HB 238, authorizing the purchase of life and health insurance by towns for town employees. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Gowing of Dublin for the Committee on Municipal and County Government, HB 239, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Berlin and their dependents. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "are authorized to" in the second line and inserting in place thereof the word, may, and by striking out the word "shall" in the fifth line, so that said section as amended shall read as follows:

1 Powers of the City of Berlin. The mayor and city council of the city of Berlin may establish a plan for providing life, accident, medical, surgical and hospitalization insurance benefits, or any combination of such benefits, for all employees of the city and their dependents and appropriate such sums of money as they find necessary for the purpose of paying the cost of such benefits.

The Clerk read the amendment in full.

Mr. Deans of Milford explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Littlehale of Durham for the Committee on Municipal and County Government, HB 240, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Laconia and their dependents. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "are authorized to" in the second line and inserting in place thereof the word, may, and by striking out the word "shall" in the fifth line, so that said section as amended shall read as follows:

1 Powers of the City of Laconia. The mayor and city council of the city of Laconia may establish a plan for providing life, accident, medical, surgical and hospitalization insurance benefits, or any combination of such benefits, for all employees of the city and their dependents and appropriate such sums of money as they find necessary for the purpose of paying the cost of such benefits.

On motion of Mr. Deans of Milford reading of the amendment was dispensed with. Mr. Deans of Milford explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Langford of Raymond for the Committee on Municipal and County Government HB 241, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Claremont and their dependents. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "are authorized to" in the second line and inserting in place thereof the word, may, and by striking out the word "shall" in the fifth line so that said section as amended shall read as follows:

1 Powers of the City of Claremont. The mayor and city council of the city of Claremont may establish a plan for providing life, accident, medical, surgical and hospitalization insurance benefits, or any combination of such benefits, for all employees of the city and their dependents and appropriate such sums of money as they find necessary for the purpose of paying the cost of such benefits.

On motion of Mr. Deans of Milford reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Hackler of Swanzey for the Committee on Municipal and County Government, HB 242, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Concord and their dependents. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "are authorized to" in the second line and inserting in place thereof the word, may, and by striking out the word "shall" in the sixth line so that said section as amended shall read as follows:

1 Powers of the City of Concord. The mayor and city council of the city of Concord may establish a plan for providing life, accident, medical, surgical and hospitalization insurance benefits, or any combination of such benefits, for all employees of the city and their dependents and appropriate such sums of money as they find necessary for the purpose of paying the cost of such benefits.

On motion of Mr. Deans of Milford reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Bradley of Thornton for the Committee on Municipal and County Government, HB 243, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Portsmouth and their dependents. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "are authorized to" in the second line and inserting in place thereof the word, may, and by striking out the word "shall" in the fifth line so that said section as amended shall read as follows:

1 Powers of the City of Portsmouth. The mayor and city council of the city of Portsmouth may establish a plan for providing life, accident, medical, surgical and hospitalization insurance benefits, or any combination of such benefits, for all

employees of the city and their dependents and appropriate such sums of money as they find necessary for the purpose of paying the cost of such benefits.

On motion of Mr. Deans of Milford, reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Bouthillier of Nashua for the Committee on Municipal and County Government, HB 244, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Lebanon and their dependents. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "are authorized to" in the second line and inserting in place thereof the word, may, and by striking out the word "shall" in the fifth line, so that said section as amended shall read as follows:

1 Powers of the City of Lebanon. The mayor and city council of the city of Lebanon may establish a plan for providing life, accident, medical, surgical and hospitalization insurance benefits, or any combination of such benefits, for all employees of the city and their dependents and appropriate such sums of money as they find necessary for the purpose of paying the cost of such benefits.

On motion of Mr. Deans of Milford, reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Thompson of Northfield for the Committee on Municipal and County Government, HB 245, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Manchester and their dependents. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "is authorized to" in the second line and inserting in place thereof the word, may, and by striking out the word "shall" in the fifth line so that said section as amended shall read as follows:

1 Powers of the City of Manchester. The board of mayor and aldermen of the city of Manchester may establish a plan

for providing life, accident, medical, surgical and hospitalization insurance benefits, or any combination of such benefits, for all employees of the city and their dependents and appropriate such sums of money as they find necessary for the purpose of paying the cost of such benefits.

On motion of Mr. Deans of Milford, reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted.

Mr. Underhill of Nashua offered the following amendment and moved its adoption.

Amend the title of the bill by striking out the word "city" and inserting in place thereof the word, cities, and by inserting after the word "Manchester" the word, Nashua, so that said title as amended shall read as follows:

An act relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the cities of Manchester and Nashua and their dependents.

Amend section 1 of the bill by striking out the word "city" in the first line and in the second line and inserting in place thereof the word, cities, and by inserting after the word "Manchester" in the first line and in the second line the words, and Nashua, and by striking out the word "is" in the second line and inserting in place thereof the word, are, so that said section as amended shall read as follows:

1 Powers of the Cities of Manchester and Nashua. The board of mayor and aldermen of the cities of Manchester and Nashua are authorized to establish a plan for providing life, accident, medical, surgical and hospitalization benefits, or any combination of such benefits, for all employees of the city and their dependents and shall appropriate such sums of money as it finds necessary for the purpose of paying the cost of such benefits.

The Clerk read the amendment in full

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Cross of Portsmouth for the Committee on Public Health, HB 254, relating to sale of horses for slaughter. Ought to pass with amendment.

Amend section 575-A:2-a as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

575-A:2-a Horses. No person who has taken possession of a horse, ostensibly for slaughter shall use or deliver possession of said animal for any other purpose.

The Clerk read the amendment in full.

Mr. O'York of Dover moved that HB 254 be indefinitely postponed and spoke in favor of the motion.

Mr. Murch of Portsmouth spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Mr. O'York of Dover requested a division.

A division being taken and it being manifestly in the negative the motion to indefinitely postpone was lost.

The question now being on the adoption of the amendment as offered by the committee.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

The Chair called for the Special Order for 11:01 o'clock on the Resolution requesting the opinion of the Supreme Court on the constitutionality of HB 225, relative to state guarantee of mortgages on industrial buildings.

Mr. Bigelow of Warner offered the following amendment: Amend the resolution by striking out the same and inserting in place the following:

Whereas, the House of Representatives has pending before it the following bills:

House Bill No. 225, An act relative to state guarantee of mortgages on industrial buildings.

House Bill No. 190, An act in amendment of Chapter 328, Laws of 1951, creating the New Hampshire Business Development Corporation, and

House Bill No. 370, An act to provide for expansion of the state park system.

Whereas, questions have arisen concerning the constitutionality of this legislation, now therefore be it

Resolved, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions:

1. Do any provisions of said bills violate any provisions of the constitution of the state of New Hampshire?

2. Could the powers contemplated under House Bill No. 225 be extended to cover guarantees of loans to industry generally by the Industrial Park Authority?

Further Resolved, That the Speaker transmit ten copies of this Resolution together with ten copies of each of the foregoing House Bills to the Clerk of the Supreme Court for the consideration by said Court.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted.

On a *viva voce* vote the resolution was adopted.

The Chair called for the Special Order on the following Senate concurrent resolution: Congratulating the legislature of the State of Maine.

Mr. King of Manchester offered the following amendment:

Amend the concurrent resolution by inserting, in the fourth line, before the words "The One hundred thirty-seventh" the words, "at least" so that said resolution as amended shall read

Whereas, the 1961 Legislature of the State of Maine is the One Hundredth Session of said Legislature; and

Whereas, the 1961 General Court of the State of New Hampshire is at least the One Hundred Thirty-Seventh Session of said General Court, now therefore be it

Resolved by the General Court of the State of New Hampshire, that: as the older of these two sister legislatures it extends to the Legislature of the State of Maine its congratulations and best wishes on this its One Hundredth Anniversary, and be it further

Resolved, That a copy of these resolutions be transmitted to the Governor of the State of Maine, the President of the Senate of the Legislature of the State of Maine, and the Speaker of the House of the Legislature of the State of Maine.

Mr. King of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

On a *viva voce* vote the concurrent resolution as amendment was adopted.

Mr. Deans of Milford moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days and subsequently withdrew his motion.

Mr. Deans of Milford rose on a point of personal privilege.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 95, relative to emergency admissions to state hospital.

HB 122, relating to the protection of public water supply sources.

HB 123, to repeal the capital reserve fund for the public library annex in Nashua.

SB 36, to apply the principles of home rule to the establishing of salaries of city officials and employees.

SB 87, to appropriate sufficient money to enable the state to make an equal contribution to the local communities to the expense of establishing an Eastern Slopes Regional Airport.

Senate Message

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 33, relating to fraternal benefit societies.

Senate Bill Read and Referred

SB 33, to the committee on Insurance.

Resolutions

Mr. Maxham of Concord offered the following resolutions:

Whereas, Mrs. Vera G. Pennington, Mother of Rev. J. W. Pennington, Legislative Chaplain, has passed away, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, for ourselves and for the Attaches, extend our deep sympathy to our Chaplain in his bereavement, and be it further

Resolved, That a copy of these Resolutions be transmitted to him by the Clerk of the House.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session**Third Readings**

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 198, relative to the sale of liquor and beverages on Sunday and on election days while the polls are open.

Reconsideration

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 198 and spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Third Readings (cont.)

HB 273, relating to trust companies.

HB 175, relative to entrance fees of credit unions.

HB 94, relative to violations of hunting laws by minors under eighteen years of age.

HB 231, relative to the salary of the justice of Northumberland municipal court.

HB 238, authorizing the purchase of life and health insurance by towns for town employees.

HB 239, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Berlin and their dependents.

HB 240, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Laconia and their dependents.

HB 241, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Claremont and their dependents.

HB 242, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Concord and their dependents.

HB 243, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Portsmouth and their dependents.

HB 244, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Lebanon and their dependents.

HB 245, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Manchester and Nashua and their dependents.

HB 254, relating to sale of horses for slaughter.

On motion of Mrs. Kinghorn of Piermont the House adjourned at 12:30 o'clock.

WEDNESDAY, MARCH 22, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, Reverend George Pennington, as follows:

O Thou in whom we place our trust and hope, we gather here mindful of the trust and hope that has been placed in us by the people of our State. We know the people watch to see what we do. We know that beyond the desires of constituents there is laid on us, as well, the responsibility to legislate in the interests of the greatest good for the greatest number of our citizens. Let, then, O Lord, the work of committees, the efforts of individual law-makers and the deliberations of the General Court reflect unmistakably the work that we have been called to do. May it be that regardless of the issue or our several opinions concerning it, we shall be to one another laborers in a common cause of public service.

Amen.

Pledge of Allegiance to the Flag

Mr. Kretowicz of Keene led the Convention in the Pledge of Allegiance to the Flag.

House

Leave of Absence

Mr. Allen of Concord was granted leave of absence for today and tomorrow on account of a death in the family.

First and Second Reading of House Bills

HB 383, to protect employees participating in contributory group insurance (Hancock of Concord) to Labor.

Committee Reports

Mr. Henry of Concord for the Committee on Aviation, HB 267, relative to aircraft service operator certificate. Ought to pass with amendment.

Amend section 1 of the bill by inserting after the word "who" in the sixth line the words, for hire; by striking out in the seventh line after the word "aircraft" the words, for hire; by inserting after the word "who" in the fourteenth line the words, for hire; by striking out in the fifteenth line the words "for hire" so that said section as amended shall read as follows:

1 Aircraft Service Operators. Amend RSA 422:24 by inserting after the word "areas" in the second line the words, aircraft service operators, and by adding at the end of said section the following sentence, For the purpose of this section an aircraft service operator is defined as any person who engages in the operation of aircraft for hire as a common carrier of persons or in connection with flight training or who for hire engages in the repair and maintenance of aircraft, so that said section as amended shall read as follows: 422:24 State Registration Certificates. The commission is empowered to issue registration certificates for airmen, aircraft, landing areas, aircraft service operators, and air carriers and establish the requirements for and the terms, conditions and limitations of such certificates. For the purpose of this section an aircraft service operator is defined as any person who engages in the operation of aircraft for hire as a common carrier of persons or in connection with flight training or who for hire engages in the repair and maintenance of aircraft.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Ainley of Concord for the Committee on Judiciary, SB 44, relating to devises and bequests to trustees. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bowler of Hanover for the Committee on Public Health, HB 222, regulating the provisions for selling and serving milk. Ought to pass with amendment.

Amend RSA 184:30-a as inserted by section 1 of the bill by adding at the end thereof the words, or milk or cream from a producer to stores, nor the serving of raw milk at bona fide boarding houses where the milk is produced on the premises,

provided that in the dining room of such boarding houses a sign is prominently displayed stating that raw milk is served therein, so that said section as amended shall read as follows:

184:30-a Pasteurization Required. No milk or milk products as defined in section 36 shall be sold, offered for sale or served unless pasteurized. This shall not serve to prohibit the direct sale of raw milk or cream from the producer or milk pasteurization plant to the final consumer, or milk or cream from a producer to stores, nor the serving of raw milk at bona fide boarding houses where the milk is produced on the premises, provided that in the dining room of such boarding houses a sign is prominently displayed stating that such raw milk is served therein.

The bill was laid on the table for printing of the amendment.

Mr. Newell of Concord for the Committee on Public Works, HB 24, to restrict outdoor advertising on the interstate highway system. Ought to pass with amendment.

Amend paragraph I of RSA 249-A:3 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

I. Advertising devices located in areas of any town or city through which segments of the interstate system may pass and which areas, at the time of passage of this chapter were legally zoned as industrial or commercial or in which outdoor advertising, at that time, was subject to municipal regulation or control.

Amend RSA 249-A:5 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

249-A:5 Highways in Juxtaposition. Nothing herein shall prevent an owner of land from using, or permitting the use of, his land for outdoor advertising purposes where said owner's land abuts a highway parallel to, or nearly parallel to and less than six hundred sixty feet from, the edge of right-of-way of an interstate highway, provided that advertising devices erected and maintained on said land shall be used for the purpose of serving only users of the highway not constructed as an inter-

state highway and that said devices shall be consistent with the intent of section 2 and section 3.

Amend RSA 249-A as inserted by section 1 of the bill by inserting after section 10 the following new section:

249-A:11 Informational Sites. Consistent with the provisions of section 3, paragraph IV, the commissioner of public works and highways shall establish informational sites for the erection and maintenance of signs which (a) advertise places for camping, lodging, eating and vehicle service and repair within twelve air miles of said signs and (b) give other information in the specific interest of the travelling public as set forth in said paragraph, and he shall prepare and promulgate standards for said sites and signs and make reasonable annual charges for the use of advertising facilities made available in said sites; provided, further, that the commissioner shall set standards by which the erection and maintenance of all advertising devices subject to the provisions of this chapter shall be regulated.

Further amend RSA 249-A as inserted by section 1 of the bill by renumbering section 11 to read section 12.

Mr. Galloway of Walpole explained the amendment.

(Mr. Deans of Milford in the Chair)

(discussion ensued)

Mr. Bradley of Thornton spoke against the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Pillsbury of Manchester offered the following resolution and moved its adoption.

Whereas House Bill No. 24, entitled, An Act to restrict outdoor advertising on the interstate highway system, with amendment as proposed, is pending before the House of Representatives, and

Whereas questions have been raised concerning the constitutionality of said Bill;

Resolved that the Justices of the Supreme Court be respectfully requested to give their opinion on the following questions of law:

1. Would any constitutional provisions be violated by restricting outdoor advertising as provided in House Bill No. 24 and proposed amendment?

2. Would the enactment of House Bill No. 24 and proposed amendment, for the purpose of securing funds offered by the United States, as disclosed in said Bill and amendment, violate any constitutional provisions?

Further Resolved that the Speaker of the House transmit 6 copies of these resolutions and 6 copies of House Bill No. 24, with amendment as proposed, to the Clerk of the Supreme Court for consideration by said Court.

The Clerk read the resolution in full.

Mr. Pillsbury of Manchester spoke in favor of the resolution.

Mr. Galloway of Walpole spoke against the motion and moved that HB 24 be recommitted to the committee on Public Works.

Mr. Pillsbury of Manchester withdrew his resolution and spoke in favor of the motion to recommit.

On a *viva voce* vote the motion to recommit prevailed.

(Speaker in the Chair)

Mr. Emerson of Dalton for the Special Committee consisting of the Members from the County of Coos, SB 18, providing for the election of county commissioners for the county districts of Coos County. Without recommendation.

Mr. Bragg of Lancaster moved that the words, Ought to Pass, be substituted for the report of the committee and spoke in favor of the motion.

(discussion ensued)

On a *viva voce* vote the Chair was in doubt and requested a division.

On a division vote, 169 members having voted in the affirmative and 116 members having voted in the negative, the motion to substitute prevailed.

Mrs. Potter of Northumberland offered the following amendment and moved its adoption.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Election; Term. There shall be chosen at each biennial election by ballot, by the inhabitants of the several towns in Coos county qualified to vote for state senators, a sheriff, a county attorney, a county treasurer, a register of deeds, and a register of probate, and the inhabitants of the several towns in each of the county commissioner districts in said county, so qualified, shall choose at each such election, a county commissioner. Each of the foregoing officers shall take office on January first next succeeding his election and shall hold the same for two years and until his successor is chosen and qualified.

2 Eligibility. No person is eligible to the office of sheriff, county attorney, county treasurer, register of deeds or register of probate of Coos county unless he is a resident of said county, and no person is eligible to the office of county commissioner of said county unless he is a resident of the district for which he is chosen. No person shall hold more than one of the foregoing offices at the same time, and the acceptance of a second one of them shall constitute a resignation of the first.

3 Referendum. The secretary of state shall insert on the ballots for all the towns in Coos county at the biennial election for 1962 the following question: "Shall the provisions of an act entitled 'An act providing for the election of county commissioners for the county districts of Coos county' be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, and the voter shall indicate his choice by making a cross in the appropriate square. If a majority of those voting on this question vote in the affirmative, this act shall be declared to have been adopted.

4 Application of Statutes. For the period during which this act is in effect in its entirety the provisions of RSA 64:1 (supp) as amended by 1955, 161:1 and 1955, 317:1, RSA 64:2 (supp) as amended 1955, 261:3 and 1955, 317:3 and RSA 64:12 (supp) as amended by 1955, 317:4 are suspended in the county of Coos.

5 Takes Effect. Section 3, referendum, of this act shall take effect upon its passage, and if adopted at the biennial election in 1962 as authorized under said section the remainder of this act shall take effect for the nomination and election of Coos county officers at the biennial election in 1964, but nothing herein shall be construed as affecting the term of office or the qualifications of county commissioners in office at the time this act becomes effective in its entirety.

The Clerk read the amendment in full.

Mrs. Potter of Northumberland spoke in favor of the amendment.

Mr. Bragg of Lancaster spoke against the amendment.

Messrs. Fortier and Sheridan of Berlin spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Sheridan of Berlin requested a division.

On a division vote, 165 members having voted in the affirmative and 142 members having voted in the negative, the amendment was adopted.

Mrs. Taylor of Whitefield demanded the Yeas and Nays.

YEAS 183

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Bushey, Potter of Northumberland, Stinson.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Spollett of Chester, Deming, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Wylie, Clark of Kingston, Sewall, Twardus, Driscoll, Keefe, Ingraham, Langford, Felch, Barker, Waterhouse.

STRAFFORD COUNTY: Blanchette, Grimes, O'York, Colbath, Flanagan, Heald, Clark of Lee, Watson of Rochester, Potvin, St. Pierre, Maloomian, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Robertson, Lacaille, McCarthy, Normandin, Ayre, Stothart, MacIsaac, Allan of Meredith, Smith, Howe.

CARROLL COUNTY: Thompson of Effingham, Blake, Taylor of Ossipee, Chamberlain.

MERRIMACK COUNTY: Guilbeault, Phelps, York, Audet, Hancock, Bingham, Lovejoy, Jennings of Concord, Brown of Danbury, Stevens, Daniell of Franklin, Gilman of Franklin, London, Plourde, Thibeault, Keith.

HILLSBOROUGH COUNTY: Aucella, Farwell, Bartlett, Claveau, Gallagher, Provencal, Mahony, Bruton, Hayes, Cullity, Linehan, Manning, Szelog, Walsh, Casey, Clancy, Dupont, Ecker, Healy of Manchester, Ward 6, O'Connor, LaFrance, Leclerc, Plante, Tessier, Compagna, Cote, Craig, Deslisle, Healy of Manchester, Ward 8, Morris, Belanger, Bergeron, Kearns, King, Hurley, Noel, Dumas, Lemay, Levasseur, Nallete, Allard, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Crowley, Gamache, Dionne of Nashua, Ward 2, Rosedoff, Belcourt, Kirkorian, Brosnahan, Sullivan, Maynard, Pappagianis, Dionne of Nashua, Ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Sablusi, Bouthillier, Peabody.

CHESHIRE COUNTY: Turner, Clark of Harrisville, Cournoyer, Desmarais, Haley, Keating, Bennett, Kretowicz, Pickett, Allen of Rindge, Crain.

SULLIVAN COUNTY: Bascomb, Cann, Gaffney, Prudhomme, Nahill, Barrows, D'Amante, Desnoyer, Guest, Williamson, Bailey, Downing.

GRAFTON COUNTY: Morse, Bowler, Low, Neale, Larty, Coutermarsh, Demers, Whipple, McGee, Collyer, Haskins, Kinghorn, Barney, Avery.

NAYS 176

COOS COUNTY: Ledoux, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Potter of Milan, Converse, Brooks, Taylor of Whitefield.

ROCKINGHAM: Scott of Deerfield, Eastman of Exeter, Purington, Tufts, Weeks, Spollett of Hampstead, Casassa, Hunter, Shepard, Jenkins, Hislop, Cheney, Carter, McDaniel, Palmer, Bowles, Stafford, Dame, Chandler of Portsmouth, White of Portsmouth, Ward 4, White of Portsmouth, Ward 5, Carkin, Cross, Greene of Rye, Magoon, Roulston.

STRAFFORD COUNTY: Berry, Leighton, Wiggin of Dover, Richardson, Bevan, Littlehale, Drew, Adams of Madbury, Reid, Rolfe, Marson, Maxfield, Johnson of Rochester, Varney, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Lord, Harkins, Prescott, Dulac, O'Shan, Jones, Urie, Joslyn.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Kurth, Fox, Claflin.

MERRIMACK COUNTY: Keneval, Hanson, Moore, Hutchinson, Davis of Concord, Henry, Gibson, Seamans, Peaslee, Quinn, Sanders, Barnard, Gove, Maxham, Newell of Concord, Welch, Rufo, McKay, Charland, Dempsey, Carpenter, Broek, Mulaire, Brown of Loudon, Thompson of Northfield, Brewster, Tarrant, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Wiggin of Bedford, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Taft, Pickering, Eaton, Brocklebank, Warren, Ainley, Lang, Pettigrew, Geisel, Goode, Pillsbury, Hart, Burke, Nolan, Deans, Falconer, Hayward of Milford, Buckley, Cole, Cooper, Milliken, Underhill, Locke, Karnis, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Stearns, Terrill, Parker, Brown of Keene, Faulkner, Miskelly, Oliver, Hackler, Congdon, Ballam, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Frizzell, Campbell, Weber, Spalding, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Willey, Chandler of Canaan, Gage, Hayward of Hanover, Karsten, Adams of Lebanon, Beard, Porter, Burrill, Hill of Littleton, Martin, Cushman, Bell, Bradley, Anderson, Berringer.

And the amendment was adopted.

The Chair laid SB 18 on the table for printing of the amendment.

Mr. Daniell of Franklin for The Special Committee consisting of the Members from the City of Franklin, HB 199, relating to the salaries of mayor and councilmen of the city of Franklin. Ought to pass with amendment.

Amend section 1 of the bill by striking out in the third line the word "ten" and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows:

1 Payment to Councilmen. Amend chapter 260 of the laws of 1893 by inserting after section 11 the following new section: Sect. 11-a. Each councilman shall be paid from the city treasury the sum of fifteen dollars for each regular monthly meeting of the city council which he attends, but not exceeding twelve meetings in any year. Said sums shall be paid to each councilman quarter-annually and shall be in full payment for all services of any and every kind rendered by him as councilman.

The Clerk read the amendment in full.

Mr. Charland of Franklin moved that HB 199 be made a Special Order for 11:01 on Thursday, March 30, and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Engrossed Bills Report

Mrs. Ayer of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 96, relative to commitment, discharge and temporary absence of the mentally ill.

SB 28, relating to bonds for housing projects and redevelopment projects.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 87, relative to taxation of house trailers.

Amend House Bill No. 87 by inserting the following words after the word "state" in line thirteen of section 1 thereof, provided further however that travel trailers, as determined by the state tax commission, registered in this state for touring or

pleasure and not remaining in any one town, city or unincorporated place for more than twenty days except in the owner's principal place of residence shall be exempt from taxation hereunder; provided, however, that any house trailer or mobile home or so-called travel trailer owned by a non-resident of this state shall not be subject to taxation if said house trailer, mobile home or so-called travel trailer shall not remain in any one town, city or unincorporated place in this state for more than twenty consecutive days during the year; so that the same as amended shall read as follows:

1. Taxation. Amend RSA 72 by inserting after section 7 the following new section:

7-a House Trailers. House trailers and mobile homes suitable for use for domestic, commercial or industrial purposes are taxable as real estate provided they were brought into this state on or before April first and remain here after April thirtieth in any year; and provided further that any house trailer or mobile home brought into the state on or before April first which shall be removed from the state before the succeeding May first in any year and shall thereafter be brought into the state again before the following December thirty-first shall be taxable as though the same had been in the state continuously from the time it was originally brought into the state; provided further however that travel trailers, as determined by the state tax commission, registered in this state for touring or pleasure and not remaining in any one town, city or unincorporated place for more than twenty days except in the owner's principal place of residence shall be exempt from taxation hereunder; provided, however, that any house trailer or mobile home or so-called travel trailer owned by a non-resident of this state shall not be subject to taxation if said house trailer, mobile home or so-called travel trailer shall not remain in any one town, city, or unincorporated place in this state for more than twenty consecutive days during the year. Nothing herein contained shall be construed as changing the method of taxing house trailers and mobile homes held by a manufacturer or dealer as part of his stock in trade.

Further amend Section 2 of House Bill 87 by adding after the word "trailers" in the fourth line thereof the words "travel trailers as determined by the state tax commission" so that the same as amended shall read as follows:

2. Definition. Amend RSA 260:23 Scope of Term "Motor Vehicle". The words motor vehicle as used in this subdivision shall include all trailers, travel trailers as determined by the state tax commission, and semi-trailers, except house trailers and mobile homes, used in connection with a vehicle of the tractor type.

On motion of Mr. Deans of Milford, reading of the amendment was dispensed with.

Mr. Deans of Milford moved that the House nonconcur with the Senate amendments and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed Mr. Hill and Mrs. Davis of Conway and Mr. Desnoyer of Claremont as conferees on the part of the House.

A further Senate message announced that the Senate has passed the following bill and joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 7, in favor of William S. St. Cyr.

SB 68, relating to the annual report of the racing commission.

Senate Joint Resolution and Bill Read and Referred

SJR 7, to the committee on Finance.

SB 68, to the Executive Departments and Administration committee.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 128, establishing the unauthorized insurers false advertising process act.

HB 77, relative to homicide and offenses against person.

HB 120, providing for the classification of certain surface waters of the Piscataqua River watershed.

HB 82, giving injunctive relief for violations of water pollution commission orders.

HB 85, making counties eligible for state aid for water pollution control.

Committee of Conference Report

The Senate has voted to adopt the report of the Committee of Conference on the following Senate Bill.

SB 23, relating to the American Flag.

The Committee of Conference, to whom was referred Senate Bill 23, An Act relating to the American flag, having considered the same, report the same with the recommendation that the Senate recede from its position of nonconcurrence in the adoption of the amendment offered by the House of Representatives, and that the House recede from its position in adopting its amendment, and that the Senate and House concur in the adoption of the following amendment:

1 Amend RSA 572:23 by striking out all of section 23 and inserting in its place the following:

572:23 Removing Flag. No person shall remove, without permission of the cemetery authority or selectmen, an American flag which is in an unserviceable condition or marker from the grave of any person who served in the armed forces of the United States during any war unless he shall replace the same with a new American flag or marker. Any person violating the provisions of this section shall be fined fifty dollars.

N. D. McMeekin
Laurier Lamontagne
Conferees of the Senate.
Paul J. LaMott
Charles E. Daniel
Edgar G. Varney
Conferees of the House.

On a *viva voce* vote the committee of conference report was accepted.

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session**Third Readings**

HB 267, relative to aircraft service operator certificate, was read a third time, passed, and sent to the Senate for concurrence.

SB 44, relating to devises and bequests to trusts, was read a third time, passed, and sent to the Secretary of State to be engrossed.

Communication

March 16, 1961

Hon. Stewart Lamprey
Speaker of the House
State House
Concord, N. H.

Dear Mr. Lamprey:

I wish to extend my sincere thanks to you, to Clerk Francis W. Tolman, and to my associates in the House, for your thoughtfulness in sending me a petition for health and speedy recovery. It certainly has brightened my day to receive such a petition, and it is very much appreciated.

It is comforting to know that in your busy hours you could take a few minutes to think of an unfortunate member who cannot be with you.

With best wishes for a successful session.

Sincerely,

Arthur J. Vincent

On motion of Mrs. Fontaine of Berlin the House adjourned at 1:01 o'clock.

THURSDAY, MARCH 23, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Daniel Novotny of the Durham Community Church:

God of Our Fathers, we thank Thee for the heritage we enjoy as a free people in a free land. Keep us mindful of all who have been stalwart in their stand for liberty of conscience and freedom of speech and opportunity for worship. Make us not merely zealous to defend our rights but constant in the exercise of our responsibilities. Bring us to insist on the rights of others who differ with us; yet keep us faithful to what we believe to be right. Grant us minds ever open to new truth.

Purify, consecrate, and strengthen all who occupy public office. Grant that each of us may overcome fear, apathy, and self-interest that would keep us from recognizing the welfare of the larger community.

O Thou who reignest forever, judging the nations with righteousness and the people with Thy truth, may Thy Spirit haunt our consciences, may it judge us and bless us.

Hear us as we pray. Amen.

Pledge of Allegiance to the Flag

Mr. Littlehale of Durham led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Messrs. Hill of Littleton, Chapdelaine of Manchester and Peever of Salem were granted leaves of absence for the day on account of important business.

First and Second Reading of House Bills

HB 384, establishing a board on academic degrees (Frizzell of Charlestown) to Judiciary.

HB 385, authorizing the superintendent of state police to establish a police training school (Goode of Manchester and

Chandler of Bartlett) to Executive Departments and Administration.

Notice of Reconsideration

Mrs. Griffin of Auburn served notice of reconsideration on SB 18, providing for the election of county commissioners for the county districts of Coos County.

Committee Reports

Mr. Adams of Madbury for the Committee on Agriculture, HB 277, relative to grading, packing, shipping and sale of apples. Reported in new draft. Recommit to the committee on agriculture.

On a *viva voce* vote the recommendation of the committee was adopted.

Mrs. Demers of Lebanon for the Committee on Education, SB 19, relative to a school of business at the University of New Hampshire. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Gagnon of Berlin for the Committee on Executive Departments and Administration, HB 207, establishing the Lake Sunapee Regional Planning Authority. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Kurth of Tuftonboro for the Committee on Executive Departments and Administration, SB 59, relative to affidavits to be signed by candidates for the office of state senator or representative. Ought to pass.

At the request of Mr. Pillsbury of Manchester, Mr. Kurth of Tuftonboro explained the bill.

(discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Kearns of Manchester for the Committee on Ways and Means, HB 97, providing for the assessment and collection of a

special head tax for state purposes. Inexpedient to legislate. Minority, ought to pass.

Arthur H. McAllister, Thomas Waterhouse, Jr., Wilfred J. Larty, James F. Allen, Ellis Ayre, Oscar C. Prescott, Harold W. Haskins, Walter P. Kretowicz, Ralph M. Wiggin, for the minority.

Mr. Clement of Rochester moved that the report of the minority, ought to pass, be substituted for the majority report, inexpedient to legislate, and spoke in favor of the motion.

Mr. Kearns of Manchester moved that further consideration of the bill be indefinitely postponed and spoke in favor of the motion.

Messrs. Chandler of Bartlett, Heald of Durham, O'Shan of Laconia, O'York of Dover, Pillsbury of Manchester, and Goode of Manchester spoke against the motion.

Messrs. Daniel of Franklin, Coutermarsh of Lebanon, Pickett of Keene and Brewster of Pittsfield spoke in favor of the motion.

Mr. Shepard of Londonderry demanded the Yeas and Nays.

YEAS 113

ROCKINGHAM COUNTY: Sewall, Twardus, Driscoll, Keefe.

STRAFFORD COUNTY: Grimes, Colbath, Flanagan, Watson of Rochester, Maloomian, Habel, Cormier.

BELKNAP COUNTY: Normandin, Smith, Howe.

CARROLL COUNTY: Hill of Conway, Thompson of Effingham.

MERRIMACK COUNTY: Guilbeault, Phelps, Moore, Allen of Concord, York, McKay, Daniell of Franklin, Gilman of Franklin, Dempsey, Plourde, Thibeault, Brewster.

HILLSBOROUGH COUNTY: Farwell, Pickering, Claveau, Gallagher, Provencal, Bruton, Hayes, Burke, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Clancy, Ecker, O'Conner, LaFrance, LeClerc, Plante, Cote, Craig, Delisle, Healy of Manchester, Ward 8; Norris, Bergeron, Kearns, King, Hurley, Noel, Roche, Dumas, Lemay, Levasseur, Nalette, Lesmerises, Rousseau, Crowley, Gamache, Falconer, Buckley, Dionne of

Nashua, Ward 2; Belcourt, Kirkorian, Brosnahan, Sullivan, Maynard, Dionne of Nashua, Ward 6; Marcoux, Boisvert, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Sabluski, Bouthillier.

CHESHIRE COUNTY: O'Neil, Gowing, Clark of Harrisville, Cournoyer, Desmarais, Pickett, Wildey.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Barrows, D'Amante, Desnoyer, Downing.

GRAFTON COUNTY: Morse, Neale, Coutermarsh, Demers, McGee, Collyer, Avery, Bradley.

COOS COUNTY: Perrault, Desilets, Sheridan, Bushey, Stinson.

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ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Casassa, Hunter, Clark of Kingston, Shepard, Jenkins, Hislop, Cheney, Carter, Pinkham, McDaniel, Palmer, Bowles, Murch, Stafford, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 4; Ingraham, White of Portsmouth, Ward 5; Carkin, Cross, Langford, Greene of Rye, Magoon, Peever, Roulston, Felch, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Wiggin of Dover, O'York, Fellows, Stonemetz, Karkavelas, Richardson, Bevan, Heald, Littlehale, Drew, Gilman of Farmington, Clark of Lee, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Potvin, St. Pierre, Johnson of Rochester, Clement, Varney, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Lord, Robertson, Lacaille, McCarthy, Harkins, Ayre, Prescott, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Urie, Joslyn.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Roberts, Blake, Taylor of Ossipee, Brown of Sandwich, Kurth, Fox, Chamberlain, Claflin.

MERRIMACK COUNTY: Keneval, Hutchinson, Davis of Concord, Henry, Audet, Gibson, Hancock, Bingham, Seamans, Lovejoy, Peaslee, Quinn, Sanders, Barnard, Gove, Maxham, Newell of Concord, Welch, Jennings of Concord, Rufo, Brown of Danbury, Stevens, Charland, Carpenter, Broek, Mulaire, Brown of Loudon, London, Thompson of Northfield, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Wiggin of Bedford, Auella, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Taft, Eaton, Brocklebank, Warren, Ainley, Lang, Pettigrew, Geisel, Goode, Mahony, Pillsbury, Hart, Dupont, Tessier, Compagna, Belanger, Allard, Daniel of Manchester, Hazeltine, Deans, Hayward of Milford, Cole, Cooper, Milliken, Underhill, Rosedoff, Chartrain, Locke, Karnis, Peabody, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, Watkinson, Turner, Stearns, Keating, Terrill, Parker, Bennett, Brown of Keene, Faulkner, Miskelly, Kretowicz, Oliver, Allen of Rindge, Crain, Hackler, Congdon, Ballam, Galloway, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Angus, Campbell, Nahill, Guest, Weber, Williamson, Bailey, Rowell, Vaughan, Spalding, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Willey, Chandler of Canaan, Johnson of Franconia, Gage, Bowler, Hayward of Hanover, Low, LaMott, Larty, Karsten, Adams of Lebanon, Beard, Porter, Whipple, Burrill, Martin, Haskins, Cushman, Kinghorn, Bell, Barney, Anderson, Berlinger.

COOS COUNTY: Fortier, Roy, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Ledoux, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Potter of Milan, Potter of Northumberland, Converse, Brooks, Taylor of Whitefield.

Mr. Edwards of Antrim voting Yes, paired with Mr. Hill of Littleton voting No.

and the motion to indefinitely postpone was lost.

The question now being on the motion of Mr. Clement of Rochester that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate.

On a *viva voce* vote the motion prevailed.

The question now being, shall the bill be read a third time.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Goode of Manchester moved that the rules of the House be so far suspended as to permit HB 97 to be placed on third reading and final passage at the present time.

On a *viva voce* vote the motion prevailed.

Third Reading

The following bill was read a third time, passed, and sent to the Senate for concurrence:

HB 97, providing for the assessment and collection of a special head tax for state purposes.

Reconsideration

Mr. Goode of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 97 and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Recess

After Recess

Committee Reports (cont.)

Mr. Colbath of Dover for the Committee on Ways and Means, HB 247, relative to sale of real estate for non-payment of taxes. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Hill of Conway for the Committee on Ways and Means, HB 314, repealing the taxation of domestic rabbits. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Hill of Conway for the Committee on Ways and Means, HB 315, repealing the taxation of fur-bearing animals. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Waterhouse of Windham for the Committee on Ways and Means, HB 316, exempting oxen from taxation. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Hill of Conway for the Committee on Ways and Means, HB 319, repealing the taxation of sheep, goats and hogs. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Griffin of Auburn for the Committee on Judiciary, SB 34, establishing the Emergency Interim Succession Act. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Judiciary, SB 42, providing for the attorney general to represent a city or town in certain tax abatement proceedings. Ought to pass.

At the request of Mr. King of Manchester, Mr. Pillsbury of Manchester explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Gove of Concord for the Committee on Judiciary, HB 291, in relation to discharging firearms. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Firearms. Amend RSA 570:5 by striking out said section and inserting in place thereof the following: 570:5 Discharging Firearms, etc. No person shall, within the compact part of a town or city nor within the areas of a city or town

designated by ordinance or by-law, fire or discharge any cannon, gun, pistol, or other firearms; nor fire or discharge any rockets, squibs, or firecrackers except by written permission of the chief of police or the selectmen in the case of towns or the chief of police in the case of cities, not knowingly raise or repeat a false cry of fire.

The Clerk read the amendment in full.

At the request of Mr. Deans of Milford, Mr. Gove of Concord explained the bill.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Gove of Concord for the Committee on Judiciary, HB 299, relative to daylight saving time. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Bradley of Thornton for the Committee on Municipal and County Government, HB 191, relating to poll taxes. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Poll Tax. A poll tax of seven dollars shall be assessed in 1961 and 1962 on every inhabitant of the state from twenty-one to seventy years of age whether a citizen of the United States or an alien, except paupers and insane persons and others wholly or partially exempt by other provisions of law.

2 Korean Conflict Veterans. Every resident of this state who served in the armed forces of the United States at any time during the Korean conflict (except those dishonorably discharged from such service) shall be exempt from two dollars of the levy of a poll tax. The words "Korean conflict" as used in this section shall mean service between June 25, 1950 and July 27, 1953.

3 Partial Exemption; Certain Widows. The widow of any veteran who served in the armed forces of the United States in any wars in which it has been engaged and the widow of any citizen who served in the armed forces of any country allied

with the United States in any of the wars as defined in sections 28 and 32 of chapter 72, RSA, shall be exempt from two dollars of the levy of a poll tax.

4 Partial Exemption; Veterans. Any veteran of any war in which the United States has been engaged and any veteran of the armed forces of the governments allied with the United States as defined by section 32 of chapter 72, RSA, who shall present to the selectmen or assessors of the town in which he lives, for inspection and record, his pension certificate awarding to him an invalid pension of any amount, or a discharge other than dishonorable from such wars, shall thereafter be exempt from two dollars of the levy of a poll tax.

5 Totally and Permanently Disabled Veteran's Exemption. Veterans totally and permanently disabled from service connection who are drawing federal compensation or pension and whose income, exclusive of said compensation or pension is less than one thousand dollars a year, upon written request filed on or before April fifteenth, shall be exempt from the levy of a poll tax.

6 Record of Discharge, etc. The selectmen shall record the number of said certificate or discharge, the name of the person, the command in which he served and the rate of pension, if any, in a book to be kept for that purpose.

7 Military Service, Partial Exemption. All persons on active duty in the armed forces of the United States on the date of assessment shall be exempt from five dollars of the levy of a poll tax.

8 Liability of Husband. A husband shall be liable for the payment of his wife's poll tax if, when it was assessed, they were living together as man and wife.

9 Penalty. The sum of fifty cents shall be added to any poll tax not paid in full on or before December first following its assessment, which shall be collected with the tax.

10 Application of Statutes. For the period April 1, 1961 to March 31, 1963 inclusive, the provisions of section 1, 1-a (supp) as inserted by 1955, 12:1, 2, 3, 4 and 5 of chapter 72, RSA, are hereby suspended.

11 Takes Effect. This act shall take effect April 1, 1961.

Mr. Kearns of Manchester moved that HB 191 be referred to the committee on Ways and Means and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Claffin of Wolfeboro for the Committee on Transportation, HB 214, relative to the issuance of licenses for the operation of motor scooters. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Urie of New Hampton for the Committee on Municipal and County Government, HB 269, relative to financing industrial waste treatment facilities. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. O'Shan of Laconia for the Committee on Public Welfare and State Institutions, HB 196, relative to total population figure at Laconia State School. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Wylie of Freemont for the Committee on Public Welfare and State Institutions, HB 215, relative to reimbursement of public assistance fund. Inexpedient to legislate.

On a *viva voce* vote the motion was adopted.

Mr. Wylie of Fremont for the Committee on Public Welfare and State Institutions, HB 217, relative to aid to permanently and totally disabled persons. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vincent of Somersworth for the Committee on Public Welfare and State Institutions, HJR 21, providing for an appropriation for Glencliff sanatorium. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Maxham of Concord for the Committee on Public Welfare and State Institutions, SB 32, relative to assistance to needy blind. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Claflin of Wolfeboro for the Committee on Transportation, HB 202, relative to use of motor vehicles used exclusively for camping purposes. Ought to pass with amendment.

Amend section 1 of the bill by inserting in the third and fifth lines after the word "exclusively" the words, as living quarters, so that said section as amended shall read as follows:

1 Vehicles for Camping Purpose. Amend RSA 262:1 as amended by 1957, 233:1 by inserting at the end thereof the following new paragraph: XVII. For motor vehicles used exclusively as living quarters for camping purposes the fee shall be twenty-five dollars. The provisions of paragraph IV hereof shall not be applied to motor vehicles used exclusively as living quarters for camping purposes, as determined by the commissioner of motor vehicles. The provisions of this paragraph shall not apply to municipally owned vehicles nor to vehicles of public utilities or common carriers.

The Clerk read the amendment in full.

At the request of Mr. Craig of Manchester, Mr. Claflin of Wolfeboro explained the amendment.

Mr. King of Manchester moved that HB 202 be referred to the committee on Ways and Means and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Claflin of Wolfeboro for the Committee on Transportation, HB 255, relative to care of railroad right of ways. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Claflin of Wolfeboro for the Committee on Transportation, HB 283, relative to motor vehicles parked on street or public parking areas. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Newell of Concord offered the following resolution and moved its adoption.

Whereas, House Bill No. 24 as amended, entitled An Act to restrict outdoor advertising on the interstate highway system, is pending before the House of Representatives, and

Whereas, questions have been raised concerning the constitutionality of said bill, therefore be it

Resolved, that the Justices of the Supreme Court be respectfully requested to give their opinion on the following questions of law:

1. Would any constitutional provisions be violated by restricting outdoor advertising as provided in House Bill No. 24 as amended?
2. Without in any way limiting the generality of question No. 1, would the enactment of House Bill No. 24, as amended, for the purpose of securing funds offered by the United States, as disclosed in said Bill and amendment, violate any constitutional provisions?

And be it Further Resolved, that the Speaker of the House transmit 6 copies of these Resolutions and 6 copies of House Bill No. 24, with amendment as proposed, to the Clerk of the Supreme Court for consideration by said Court.

The Clerk read the resolution in full.

Messrs. Newell of Concord and Galloway of Walpole spoke in favor of the resolutions.

On a *viva voce* vote the resolutions were adopted.

Taken From the Table

SB 18, providing for the election of county commissioners for the county districts of Coos County.

Mr. Bragg of Lancaster moved that SB 18 be made a Special Order for Tuesday next at 11:01 o'clock.

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Senate Messages

The Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the amendment to the Concurrent Resolution "Congratulating the Legislature of the State of Maine" sent up from the House of Representatives and requests a Committee of Con-

ference and the President has appointed as members of said committee on the part of the Senate, Senators Eaton and Lamontagne.

On a *viva voce* vote the House acceded to the request of the Senate and the Chair appointed Messrs. Angus of Claremont, Pickett of Keene and Linehan of Manchester as conferees on the part of the House.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 87, An Act relative to taxation of house trailers, having considered the same, report the same with the following recommendation:

That the House recede from its position in adopting its amendments, that the Senate recede from its position in adopting its amendments, and that the following amendment be adopted:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1 Taxation. Amend RSA 72 by inserting after section 7 the following new section:

72:7-a House Trailers. House trailers, travel trailers and mobile homes suitable for use for domestic, commercial or industrial purposes are taxable as real estate provided they were brought into this state on or before April first and remain here after April thirtieth in any year; and provided further that any house trailer, travel trailer or mobile home brought into the state on or before April first which shall be removed from the state before the succeeding May first in any year and shall thereafter be brought into the state again before the following December thirty-first shall be taxable as though the same had been in the state continuously from the time it was originally brought into the state; provided further, however, that travel trailers, as determined by the state tax commission, registered in this state for touring or pleasure and not remaining in any one town, city or unincorporated place for more than thirty days, except for storage only, shall be exempt from taxation hereunder, provided, however, that any house trailer or mobile home or so-called travel trailer owned by a non-resident of this state shall not be subject to taxation if said house trailer, mobile

home or so-called travel trailer shall not remain in any one town, city, or unincorporated place in this state for more than thirty consecutive days during the year. Nothing herein contained shall be construed as changing the method of taxing house trailers and mobile homes held by a manufacturer or dealer as part of his stock in trade.

Carroll A. Hill

Esther Davis

Alton G. Desnoyer

Conferees on the Part of the House

Charles C. Eaton

Paul Provost

Conferees on the Part of the Senate

On a *viva voce* vote the report was adopted.

A further Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 82, relating to attachment liens.

Senate Bills Read and Referred

SB 82, to the committee on Judiciary.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 65, relative to checklist for co-operative school districts.

HB 155, relative to enlarging or reducing the membership of school boards.

Announcement

The Chair announced that Monday, March 27th is the 59th wedding anniversary of Representative and Mrs. George W. Lovejoy of Concord.

Committee Change

Mrs. Blanchette of Dover to the committee on Insurance from Public Welfare and State Institutions.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 207, establishing the Lake Sunapee Regional Planning Authority.

HB 314, repealing the taxation of domestic rabbits.

HB 316, exempting oxen from taxation.

HB 319, repealing the taxation of sheep, goats and hogs.

HB 291, in relation to discharging firearms.

HB 269, relative to financing industrial waste treatment facilities.

HB 196, relative to total population figure at Laconia State School.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 19, relative to a school of business at the University of New Hampshire.

SB 59, relative to affidavits to be signed by candidates for the office of state senator or representative.

SB 42, providing for the attorney general to represent a city or town in certain tax abatement proceedings.

SB 32, relative to assistance to needy blind.

SB 34, establishing the Emergency Interim Succession Act.

On motion of Mrs. Gagnon of Berlin the House adjourned at 2:45 o'clock.

TUESDAY, MARCH 28, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Chaplain George Pennington.

"Dear Lord and Father of mankind!

Forgive our foolish ways!

Reclothe us in our rightful mind,

In purer lives thy service find,

In deeper rev'rence, praise.

Drop thy still dews of quietness,

Till all our strivings cease;

Take from our souls the strain and stress,

And let our ordered lives confess

The beauty of thy peace."

Amen.

(-John Greenleaf Whittier)

Pledge of Allegiance to the Flag

Mr. Daniell of Franklin led the Convention in the Pledge of Allegiance to the flag.

The Dover High School Choraliers, directed by Robert E. Moore, entertained the Joint Convention with several vocal selections.

On motion of Senator Dunnington of District No. 21 the Convention rose.

House

Introduction of Guests

The Chair introduced a group from the freshman class of Franklin High School, courtesy of the Franklin Delegation.

Leaves of Absence

Mr. Carmen of Manchester was granted leave of absence for the day on account of important business.

Mr. Waterhouse of Windham was granted leave of absence for the day on account of important business.

Mesdames Neale of Hanover, White of Portsmouth, Ward 4 and Mr. Nickerson of Tamworth were granted leaves of absence for the week on account of illness.

First and Second Reading of House Bills

HB 386, for safeguarding persons and property and promoting the welfare of the public by creating an electrical administrative board of the state of New Hampshire and prescribing its duties; establishing standards for electrical equipment and for its installation (Bingham of Concord) to Executive Departments and Administration.

HB 387, adopting the uniform securities ownership by minors act (Bingham of Concord) to Judiciary.

HB 388, adopting the uniform act on paternity (Bingham of Concord) to Judiciary.

HB 389, relating to acknowledgments by persons serving in armed forces or their dependents (Bingham of Concord) to Judiciary.

HB 390, providing citizens' job protection (Welch of Concord) to Labor.

HB 391, relative to optional allowances under the teachers' retirement system (Bingham of Concord) to Executive Departments and Administration.

HB 392, relative to the disposition of professional fees (Newell of Concord) to Finance.

HB 393, relative to assessments by insurance firms (Coutermarsh of Lebanon) to Insurance.

HB 394, relative to reinstatement of insurance policies (Coutermarsh of Lebanon) to Insurance.

HB 395, relative to free registration number plates for emergency vehicles (Desmarais of Jaffrey) to Transportation.

HB 396, to incorporate New Hampshire Dental Service Corporation (Gove of Concord) to Judiciary.

HB 397, relative to longevity for legislative attaches (Larty of Haverhill) to Appropriations.

HB 398, relative to health insurance for state employees (Underhill of Nashua) to Executive Departments and Administration.

HB 399, relative to certain obligations of married minors (Newell of Hopkinton) to Judiciary.

HB 400, relating to the falsifying of age by minors in connection with the purchase of motor vehicles (Newell of Hopkinton) to Judiciary.

HB 401, relative to cooperative arrangements between towns for recreational facilities (Tufts of Exeter) to Municipal and County Government.

HB 402, relative to credit unions (King of Manchester and Crowley of Manchester) to Banks.

HB 403, authorizing the establishment of a branch bank in Goffstown (Hambleton of Goffstown) to Banks.

Communication

March 23, 1961

The Honorable Stewart Lamprey
Speaker of the House of Representatives
State House
Concord, New Hampshire

Dear Stewart,

The Resolution passed by the House of Representatives is deeply appreciated. It represents the kind of real support that has been a source of comfort and strength in recent days.

Accept my gratitude extended to the House and Attachés. and the appreciation, as well, of my father and brother.

Sincerely,

George J. W. Pennington

Committee Reports

Mr. Vaughan of Newport for the Committee on Appropriations, HB 90, providing for the publication of the Commercial Code and the reprinting of volume 3 of the Revised Statutes Annotated. Inexpedient to legislate.

Mr. Vaughan of Newport explained the resolution of the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Vaughan of Newport for the Committee on Appropriations, HB 91, providing for reprinting volume 2 of the Revised Statutes Annotated. Inexpedient to legislate.

Mr. Vaughan of Newport explained the resolution of the committee.

On a *viva voce* vote the resolution was adopted.

Mr. King of Manchester for the Committee on Appropriations, HB 92, to provide for cumulative pocket supplements for Revised Statutes Annotated. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Brown of Sandwich for the Committee on Education, HB 308, relative to released time for music instruction. Ought to pass.

At the request of Mr. Deans of Milford, Mrs. Brown of Sandwich explained the bill.

(discussion ensued)

Mr. Deans of Milford moved that HB 308 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mrs. Berry of Barrington, Mrs. Green of Rye and Messrs. Hart of Manchester, O'Neil of Chesterfield and Daniell of Franklin spoke against the motion.

(discussion ensued)

Miss Whipple of Lebanon and Mr. Chandler of Bartlett spoke against the motion.

On a *viva voce* vote the motion did not prevail and the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 109, exempting residents over seventy years of age from fishing licensing requirements. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Report of Committee on Engrossed Bills

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 77, relative to homicide and offenses against person.

HB 82, giving injunctive relief for violators of water pollution commission orders.

HB 128, establishing the unauthorized insurers false advertising process act.

HB 132, changing the name of Crescent Island in Lake Winnepesaukee to Little Six Mile Island.

HB 233, pertaining to taxation of fallout shelters.

SB 32, relative to assistance to needy blind.

SB 34, establishing the Emergency Interim Succession Act.

SB 42, providing for the attorney general to represent a city or town in certain tax abatement proceedings.

SB 59, relative to affidavits to be signed by candidates for the office of state senator or representative.

HB 27, relative to emergency location of state and municipal government.

HB 85, making counties eligible for state aid for water pollution control.

SB 44, relating to devises and bequests to trusts.

HB 65, relative to checklists for co-operative school districts.

HB 120, providing for the classification of certain surface waters of the Piscataqua River watershed.

HB 155, relative to enlarging or reducing the membership of school boards.

SB 19, relative to a school of business at the University of New Hampshire.

Recess

After Recess

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 134, reducing from seventy to sixty-eight the age at which licenses to fish and hunt may be issued to residents without payment of fee. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 226, providing for a closed season on black bear. Ought to pass.

At the request of Mr. Chandler of Bartlett, Mr. Converse of Pittsburg explained the bill.

(discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 334, relative to bounties on fox. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 338, providing a bounty for killing rattlesnakes. Inexpedient to legislate.

Mr. Miskelly of Keene moved that the words, Ought to Pass, be substituted for the resolution of the committee, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Converse of Pittsburg spoke against the motion.

(discussion ensued)

Mr. Spalding of Plainfield spoke against the motion.

Mr. Thompson of Effingham spoke in favor of the motion.

Mr. Kimball of Derry spoke in favor of the motion.

Mr. Miskelly of Keene spoke a second time in favor of the motion.

Mr. O'Neil of Chesterfield and Mr. Claveau of Hudson spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Miskelly of Keene requested a division.

151 members having voted in the affirmative and 158 members having voted in the negative the motion was lost.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Bingham of Concord for the Committee on Judiciary, HB 200, to redistrict the state for the purpose of choosing representatives in Congress. Ought to pass.

Mr. Plourde of Pembroke moved that HB 200 be recommitted to the committee on Judiciary and spoke in favor of the motion.

Mr. Bowles of Portsmouth spoke against the motion.

(discussion ensued)

Messrs. Mahony, Pillsbury of Manchester and Nickerson of Goffstown spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mrs. Cooper of Nashua for the Committee on Judiciary, SB 55, relative to trespassing on private roadways with a motor vehicle. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 4, relative to radiation protection. Ought to pass with amendment under Joint Rule No. 6.

Amend RSA 125:44 as inserted by section 1 of said bill by striking out all after the words "public hearing" in the sixth line and inserting in place thereof the following:

Said public hearing shall be held by the state board of health or its duly authorized representatives provided that thirty days' notice thereof shall be given by public advertisement stating the date, time and place of the hearing; provided further that no such amendment or repeal shall be or become effective until thirty days after such public hearing.

On motion of Mr. Bowler of Hanover the House concurred in the Engrossed Bills amendment.

Mr. Kearns of Manchester moved that the order whereby HB 380, relative to the salary for the Register of Deeds for Hillsborough county was referred to Municipal and County Government be vacated, and that the bill be referred to the Hillsborough County Delegation and spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Pickett of Keene moved that the order whereby HB 375, to license and regulate the business of making loans in sums of twenty-five hundred dollars or less at a greater rate of charge than six per cent per annum, was referred to the committee of Banks, be vacated and the bill be referred to a joint committee consisting of the committee on Ways and Means and Banks.

Messrs. Pickett of Keene and Chandler of Bartlett spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Taken from the Table

Under the rules SB 18, providing for the election of county commissioners for the county districts of Coos County, was taken from the table.

Mr. Bragg of Lancaster moved reconsideration of the amendment adopted on Wednesday, March 22 and printed in the Journal on pgs 10, 11 & 12 and spoke in favor of the motion.

Mrs. Taylor of Whitefield, and Messrs Emerson of Dalton and Chandler of Bartlett spoke in favor of the motion.

Mrs. Potter of Northumberland and Messrs Sheridan and Fortier of Berlin spoke against the motion.

On a *viva voce* vote the Chair was in doubt and requested a division.

197 members having voted in the affirmative and 143 in the negative the motion to reconsider prevailed.

The question now being on the adoption of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. King of Manchester offered the following amendment:

Amend SB 18 to include the counties of Sullivan and Belknap after the words, Coos county, wherever the words, Coos county, appear, and spoke in favor of the amendment.

Messrs Pillsbury of Manchester and Urie of New Hampton spoke against the amendment.

Mr. Sheridan of Berlin spoke in favor of the amendment.

Messrs Desnoyer of Claremont and Pickett of Keene spoke in favor of the amendment.

Mr. Bascom of Acworth spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Sheridan of Berlin demanded the Yeas and Nays and the roll was called as follows:

YEAS 137

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Bushey, Potter of Northumberland, Stinson.

ROCKINGHAM COUNTY: Sewall, Twardus, Driscoll, Keefe, Ingraham.

STRAFFORD COUNTY: Blanchette, Grimes, O'York, Flanagan, Watson of Rochester, Potvin, St. Pierre, Maloomian, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Lord, Harkins, Normandin, Dulac.

CARROLL COUNTY: Thompson of Effingham.

MERRIMACK COUNTY: Guilbeault, Phelps, York, Audet, Lovejoy, Barnard, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Plourde, Thibeault.

HILLSBOROUGH COUNTY: Farwell, Bartlett, Claveau, Gallagher, Provencal, Bruton, Hayes, Burke, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Clancy, Dupont, Healy of Manchester, Ward 6; O'Conner, LaFrance, LeClerc, Plante, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, Ward 8; Cary, Morris, Belanger, Bergeron, Kearns, King, Hur-

ley, Noel, Roche, Dumas, Lemay, Levasseur, Nalette, Allard, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Crowley, Gamache, Dionne of Nashua, Ward 2; Rosedoff, Belcourt, Kirkorian, Brosnahan, Sullivan, Maynard, Dianne of Nashua, Ward 6; Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Sablusi, Bouthillier, Peabody, Eastman of Weare.

CHESHIRE COUNTY: Desmarais, Keating, Kretowicz, Pickett, Crain.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Barrows, D'Amante, Desnoyer, Bailey, Downing, Vaughan.

GRAFTON COUNTY: Morse, Bowler, Low, Coutermarsh, Demers, McGee, Collyer, Kinghorn, Avery.

NAYS 222

COOS COUNTY: Ledoux, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Potter of Milan, Converse, Brooks, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Casassa, Hunter, Clark of Kingston, Shepard, Jenkins, Hislop, Cheney, Carter, Pinkham, McDaniel, Palmer, Bowles, Murch, Stafford, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 5; Carkin, Cross, Langford, Greene of Rye, Magoon, Peever, Roulston, Felch, Barker.

STRAFFORD COUNTY: Berry, Leighton, Wiggin of Dover, Fellows, Stonemetz, Colbath, Richardson, Bevan, Heald, Littlehale, Drew, Gilman of Farmington, Clark of Lee, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Johnson of Rochester, Varney, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Robertson, Lacaille, McCarthy, Prescott, Stothart, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Blake, Taylor of Ossipee, Brown of Sandwich, Kurth, Fox, Chamberlain, Clafin.

MERRIMACK COUNTY: Keneval, Hanson, Moore, Asby, Hutchinson, Allen of Concord, Henry, Bingham, Seamans, Peaslee, Quinn, Sanders, Newell of Concord, Welch, Jennings of Concord, Brown of Danbury, McKay, Stevens, Carpenter, Broek, Mulaire, Brown of Loudon, Thompson of Northfield, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Wiggin of Bedford, Aucella, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Taft, Pickering, Eaton, Brocklebank, Warren, Ainley, Lang, Pettigrew, Geisel, Mahony, Pillsbury, Hart, Hazeltine, Deans, Falconer, Hayward of Milford, Buckley, Cole, Cooper, Milliken, Underhill, Locke, Karnis, Peterson, Rice.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Clark of Harrisville, Stearns, Haley, Terrill, Parker, Bennett, Brown of Keene, Miskelly, Oliver, Allen of Rindge, Hackler, Congdon, Ballam, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Campbell, Nahill, Guest, Weber, Williamson, Rowell, Spalding, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Gilbert, Plumer, Willey, Chandler of Canaan, Johnson of Franconia, Gage, Hayward of Hanover, LaMotte, Larty, Karsten, Adams of Lebanon, Beard, Porter, Whipple, Burrill, Hill of Littleton, Haskins, Cushman, Bell, Barney, Anderson, Berringer.

and the amendment was not adopted.

Mr. Fortier of Berlin offered an amendment which he subsequently withdrew.

Mr. Fortier of Berlin moved that SB 18 be recommitted to the Coos County Delegation and spoke in favor of the motion.

Mr. Bragg of Lancaster spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Fortier of Berlin moved that SB 18 be indefinitely postponed.

Mr. Pillsbury of Manchester moved the previous question.

On a *viva voce* vote the motion was adopted.

The question now being shall SB 18 be indefinitely postponed.

On a *viva voce* vote the motion was not adopted.

Mr. Fortier of Berlin requested a division.

151 members having voted in the affirmative and 198 members having voted in the negative the motion to indefinitely postpone was lost.

On a *viva voce* vote the bill was ordered to a third reading.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 76, relative to taxation of corporation property.

SB 83, relative to tax assessments in unincorporated places.

SB 100, relative to notice of cutting and report of cut under the so-called timber tax law.

SB 94, relating to the Charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester.

Senate Bills Read and Referred

SB 76, to Ways and Means

SB 83, to Ways and Means

SB 100, to Ways and Means

SB 94, to Executive Departments and Administration.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 132, changing the name of Crescent Island in Lake Winnepesaukee to Little Six Mile Island.

HB 233, pertaining to taxation of fallout shelters.

On motion of Mr. Pickett of Keene the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 92, to provide for cumulative pocket supplements for Revised Statutes Annotated.

HB 308, relative to released time for music instruction.

HB 226, providing for a closed season on black bear.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 55, relative to trespassing on private roadways with a motor vehicle.

SB 18, providing for the election of county commissioners for the county districts of Coos County.

Reconsideration

Mr. Bragg of Lancaster, having voted with the majority, moved that the House reconsider its vote whereby it passed SB 18, and spoke against the motion.

On a *viva voce* vote the motion was lost.

On motion of Mrs. Kimball of Jefferson the House adjourned at 3:59 o'clock.

WEDNESDAY, MARCH 29, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, George Pennington:

Eternal Spirit, present in the life of man and in the on-going process of the world, give us vision to see the long view. Grant us both integrity and the fire to enkindle our views, while at the same time, security enough to welcome difference of opinion in the open marketplace of ideas. With faith in Thy prevailing order, and love for our fellowman, no differences can divide us. Without faith and love we know that no unanimity can significantly unite us. Amen.

Pledge of Allegiance to the Flag

Mrs. Weber of Croydon led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the 7th and 8th grades of the Swazey school of Brentwood as guests of the House today, courtesy of Mrs. Vey of Brentwood.

Leave of Absence

Mr. McCarthy of Laconia was granted leave of absence for the day on account of illness.

Governor's Message

His Excellency, Governor Wesley Powell, appeared before the House of Representatives and delivered the following message:

The Message of Governor Wesley Powell Vetoing

House Bill No. 77

I present myself this morning with regard to an issue of considerable public interest and much public misunderstanding. Regardless of how this issue is resolved, some of our people will be unhappy.

The issue to which I make reference is House Bill 77. I include as a part of the issue the atmosphere in which the deliberations upon this bill have been conducted.

Under our constitutional system of government no bill ever reaches the desk of the Governor unless it has been ap-

proved by a majority of both houses of the Legislature. In other words, the constitutional authority to exercise the veto power can be related only to bills which have been passed by the Legislature. There is no employment for the veto authority in connection with bills which are defeated here or in the Senate.

In conferring upon the Governor the authority to veto a measure which has had majority support in the Legislature, our Constitution implies a duty upon the Governor to exercise the veto authority when his conscience so dictates following his consideration of legislative acts.

The oath of office of the Governor is quite identical to your own oath of office. By his oath, the Governor has an obligation — as he considers the bills which reach his desk — to place aside all prejudice, partiality, and personal feeling and in so doing to act within the light he has for the good of the greatest number of our people.

It is not the duty of the Governor to act in behalf of the greatest number of any given profession or the greatest number of any religious faith. It is the duty of the Governor to act in that way which he believes honestly to be in the best interest and for the greatest good of the greatest number of our people as a whole. In his decision upon a legislative act he must place aside considerations of political advantage and he must disregard such things as personal religious persuasion.

Were I to consider House Bill 77 only from the point of view as to what is best for my political career, I would sign it, or, at the very least, allow the bill to become law without my signature. That has been made exceedingly clear to me in very recent days by friend and foe alike.

Were I to consider this bill only from the point of view of my own religious faith, then I could sign it or let it become law without my signature, for I am a Protestant and practically every Protestant clergyman and layman from whom I have heard has urged that our faith requires that this bill become law. That has been made exceedingly clear, too.

The most disturbing point which friend and foe alike have tried to press upon me in very recent days is that whatever action I take upon this bill, the success or failure of the administration's program in this session of the Legislature rides upon

it. I refuse to believe this could be so but, in any event, I reject the proposition.

As I have tried to approach this bill in conscientious study, I have become convinced that the number are few who really understand this bill whether they be for it or against it. It is apparent to me from the many discussions I have had with regard to the measure that a majority of our people have given insufficient thought either to what this bill means or does not mean.

It is obvious from the evidence that there is certainly no unanimous opinion among the doctors of New Hampshire with respect to House Bill 77. Many doctors — probably a majority — emphatically support this measure but there is a large number of doctors who oppose it with equal intensity. It may or may not surprise you to hear me say that some doctors have stated to me with utter frankness that at no time have they placed upon the authority which this bill would grant the interpretations which have been given to me by some of their colleagues. In fact, in some instances doctors who are proponents of this measure have told me they completely reject some of these interpretations and at the same time freely agree that the bill is open to interpretations which some of their colleagues give to it.

You may or may not know that on two occasions in the course of the consideration of House Bill 77 by the Legislature very serious consideration has been given by the Medical Society to its withdrawal. It certainly is no secret that some members of the Society who support the bill and some who oppose it deeply regret that it was introduced or, at least, until the subject had been more carefully studied and the measure more carefully drawn.

Throughout the weeks of your consideration of this proposed law, no shred of evidence has been presented that any loss of life has occurred in our state by the fact that the present law is on our statute books. It is only with regard to one case that any evidence has been presented that a New Hampshire doctor has felt compelled to refuse what he considered to be proper treatment of a pregnant woman patient by virtue of the present law.

Repeatedly it has been suggested directly and by implica-

tion that this refusal was based upon a statement of the Attorney General of New Hampshire. My investigation indicates this is not so.

The case said to be involved originated in the city of Claremont and was first transferred to the town of Hanover. Many have the impression that this case was subsequently transferred to Vermont because of an opinion of the Attorney General of our state. The case in question occurred in the fall of 1959. The then Attorney General has advised me that he has no recollection at all of any conversation at all with any person whomsoever regarding this case at the time of its occurrence, and there is absolutely no record at all in the office of the Attorney General of any communication at all between that office and any person whomsoever with respect to this case. The then Deputy Attorney General, as well as the Assistant Attorney General in charge of matters of this kind in the fall of 1959, have both stated to me that they are without knowledge of any kind of communication between the office of the Attorney General and any person whomsoever respecting the Claremont-Hanover case so-called.

I pose here today neither as an expert in the law, nor medicine, nor theology. I appear before you only as a Governor who has been called upon to make a decision regarding an amendment to a law of our state which has been upon the books for nearly one hundred years, and to consider now the suggestion of members of the Medical Society that the law deprives a doctor of the right to do what his knowledge of medicine dictates is necessary to save the life of his patient. Any conclusion of mine with regard to the present law could be entirely erroneous. I am so aware. Yet, I am aware also of the decisions of the courts in jurisdictions where the question of the right of a doctor to act in pursuit of his medical knowledge has been considered. My decision upon House Bill 77 is based upon more than one consideration, as you will hear. However, I do want to mention my personal opinion that it is extremely remote that any high court would sustain the conviction of a doctor based upon a so-called therapeutic abortion if the act of the doctor was with the intent to save the life of his patient, based upon sound medical evidence, and done with the permission of his patient.

Putting aside my personal opinion, let us assume that the

claim of some doctors with regard to the present law is valid and that the claim would be declared valid were our highest court to have this issue before it. In those circumstances, would House Bill 77, as an amendment to the present law, clear the air and give to members of the medical profession the freedom of action they request? Based upon my own study and based upon advice I have received from some I consider to be more learned in the law than I am, it is my conclusion that this bill would not clear the air and would not remove any cloud which some members of the medical profession claim is upon them now.

Why do I state such a conclusion?

The Supreme Court of the State of New Hampshire has stated clearly that an unborn child is with legal rights from the moment of conception. This is in quite interesting contrast with the seemingly apparent fact that such a finding had not been made by our courts at the time the present law was placed upon our statute books. To me this point of law carries considerable significance and I would underline the fact that it is a finding of law and not a statement of the doctrine of any religious faith. It seems to me that the point has had not much more than cursory attention throughout the deliberations upon House Bill 77. In my conversations with members of the medical profession, I have discovered that not very many of them are aware of this finding of our highest court.

So, you see, I would have to endure considerable mental exercise to avoid the conclusion that the over-all issue involved in the deliberations upon House Bill 77 should be and must be resolved in the courts, not within the halls of the Legislature and not at the Governor's desk.

If it be said that the failure of the Governor to allow this bill to become law would resolve nothing, then I believe it can be said also that his signature upon the bill would resolve less.

It is my thought that I could rest my case here and in good conscience; thus avoiding an even greater controversy than now stirs.

However, I did not ask to be placed in a position to act upon this bill but now that it is my unwelcome task to judge it, I must go further.

It is my conclusion that few are aware of the extent to which this bill as written could be applied. Earlier I mentioned the fact that members of the medical profession who strongly support House Bill 77 have been unaware of the interpretations placed upon it by some of their colleagues.

For example, I have been advised by some members of the medical profession that were this bill to become law its authority could be and would be applied in cases involving threatened suicide by married and/or unmarried pregnant women.

When the Governor expressed dissatisfaction that such could be so, this interpretation was qualified by the assertion that there would have to be a prior history of mental illness. But does the bill say so? No.

In any event, was this your understanding and did you approve of such an application when this bill was before you? Have you really had this phase of the issue under consideration, have you really considered it?

Lest we be plunged into discussion of sterilization, I would remark here that there are already laws upon the statute books of our state with respect to this subject.

You have not had under consideration, and I do not have under discussion now, a bill involving a physical condition which frequently occurs. From every witness and from every knowledgeable source, you and I have learned that the type of case this bill is said to involve is a rarity and it becomes even more rare as developments in medical science continue. Furthermore, the type of case which this bill is said to be directed at is even with more rarity presented on what could be called an emergency status.

I most respectfully submit to you the Honorable Members of the House and the Honorable Members of the Senate that this issue and this bill are potentially far more involved than many would have us think.

In preparation for this time of my required decision I tried to strip this bill of the emotional conflicts which surround it. There is more I could say but I have tried to exercise restraint. You have acted previously as your own good conscience

dictated. I act now in that way which best satisfies my own conscience. I return House Bill 77 to you without my signature.

The question now being shall HB 77 pass notwithstanding the Governor's veto.

Messrs. Bowles of Portsmouth, Peterson of Peterborough, Gove of Concord, Deans of Milford, and Bowler of Hanover and Mesdames Davis of Concord and Frizzell of Charlestown spoke in favor of passage of the bill.

Messrs. Normandin of Laconia, Martel of Manchester, Healey of Manchester Ward 6, Claveau of Hudson and Mahoney of Manchester spoke against passage of the bill.

The roll having been called as follows:

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ROCKINGHAM COUNTY: White of Atkinson, Griffin, Persson, Spollett of Chester, Deming, Scott of Deerfield, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Hunter, Clark of Kingston, Shepard, Jenkins, Carter, Pinkham, McDaniel, Palmer, Bowles, Murch, Stafford, Dame, Osborn, White of Portsmouth, Ward 5; Carkin, Cross, Langford, Greene of Rye, Magoon, Roulston, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Leighton, Wiggin of Dover, Fellows, Stonemetz, Colbath, Richardson, Bevan, Heald, Littlehale, Drew, Clark of Lee, Adams of Madbury, Rolfe, Marsan, Maxfield, Varney, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Lord, Robertson, Ayre, Prescott, Stothart, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Hill of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Brown of Sandwich, Kurth, Fox, Chamberlain, Claffin.

MERRIMACK COUNTY: Hanson, Moore, Hutchinson, Allen of Concord, Davis of Concord, Henry, Gibson, Bingham, Seamans, Lovejoy, Peaslee, Sanders, Barnard, Gove, Maxham, Newell of Concord, Brown of Danbury, McKay, Stevens, Daniell of Franklin, Carpenter, Broek, London, Thompson of Northfield, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Wiggin of Bedford, Aucella, Jennings of Goffstown, Nickerson of Goffstown, Taft, Pickering, Eaton, Brocklebank, Warren, Lang, Pettigrew, Pillsbury, Hart, Hazeltine, Deans, Hayward of Milford, Buckley, Cole, Cooper, Milliken, Locke, Karnis, Peterson, Rice.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Clark of Harrisville, Stearns, Haley, Parker, Bennett, Brown of Keene, Faulkner, Oliver, Hackler, Congdon, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Angus, Campbell, Nahill, Weber, Williamson, Bailey, Vaughan, Spalding, DeLude.

GRAFTON COUNTY: Stevenson, Plumer, Willey, Chandler of Canaan, Morse, Gage, Bowler, Hayward of Hanover, Low, Karsten, Adams of Lebanon, Beard, Porter, Whipple, Burrill, Martin, Haskins, Cushman, Kinghorn, Bell, Barney, Anderson.

COOS COUNTY: Vashaw, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Potter of Milan, Potter of Northumberland, Converse, Brooks, Stinson, Taylor of Whitefield.

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ROCKINGHAM COUNTY: Vey, Gay, Kimball of Derry, Scott of Derry, White of Derry, Casassa, Hislop, Sewall, Twardus, Cheney, Driscoll, Chandler of Portsmouth, Ingraham, Peever, Felch.

STRAFFORD COUNTY: Blanchette, Grimes, O'York, Karkavelas, Flanagan, Gilman of Farmington, Reid, Watson of Rochester, Potvin, St. Pierre, Johnson of Rochester, Clement, Malloomian, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Lacaillade, Harkins, Normandin, Dulac.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, York, Audet, Hancock, Quinn, Welch, Jennings of Concord, Gilman of Franklin, Charland, Dempsey, Mulaire, Brown of Loudon, Plourde, Thibeault.

HILLSBOROUGH COUNTY: Farwell, Bartlett, Hambleton, Claveau, Gallagher, Provencal, Ainley, Geisel, Goode, Ma-

hony, Bruton, Hayes, Martel, Burke, Cullity, Nolan, Linehan, Manning, Walsh, Casey, Clancy, Dupont, Ecker, Healy of Manchester, Ward 6; O'Connor, LaFrance, LeClerc, Plante, Tessier, Compagna, Cote, Delisle, Healy of Manchester, Ward 8; Cary, Morris, Belanger, Bergeron, Kearns, King, Hurley, Noel, Roche, Dumas, Lemay, Levasseur, Nalette, Allard, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Crowley, Gamache, Falconer, Underhill, Dionne of Nashua, Ward 2; Rosedoff, Belcourt, Kirkorian, Brosnahan, Sullivan, Maynard, Dionne of Nashua, Ward 6; Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Sablusi, Bouthillier, Peabody, Eastman of Weare.

CHESHIRE COUNTY: Cournoyer, Desmarais, Keating, Terrill, Miskelly, Kretowicz, Pickett, Allen of Rindge, Crain, Ballam.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Barrows, D'Amante, Desnoyer, Guest, Downing, Rowell, Merrifield.

GRAFTON COUNTY: Paquette, Gilbert, LaMott, Larty, Coutermarsh, Demers, McGee, Collyer, Hill of Littleton, Avery, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Bouchard, Fontaine, Gagnon, Ledoux, Bushey.

The necessary two-thirds majority not having been voted, the Governor's veto was sustained.

Committee Reports

Mr. Congdon of Troy for the Committee on Public Works, HB 343, relative to classification of a highway in the town of Goffstown and the city of Manchester. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Nickerson of East Kingston for the Committee on Public Works, HB 292, providing for improvement to highway in Jaffrey. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Normandin of Laconia moved that the rules of the House be so far suspended as to permit the introduction of a

committee report not previously advertised in the Journal for two days.

On a *viva voce* vote the motion was adopted.

Mr. Normandin of Laconia for the Committee on Judiciary: Concurrent Resolution ratifying a proposed amendment to the Constitution of the United States of America. Ought to pass.

Whereas, both houses of the eighty-sixth Congress of the United States of America, by a constitutional majority of two-thirds thereof, have made the following proposition to amend the Constitution of the United States of America, in the following words, to wit:

“Joint Resolution

“Proposing an amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia.

“*Resolved* by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

“Article —————

“Section I. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

“A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a

State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

“Section 2. The Congress shall have power to enforce this article by appropriate legislation.”

Therefore, be it resolved by the House of Representatives of the State of New Hampshire, the Senate concurring: That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the legislature of the State of New Hampshire.

That certified copies of this preamble and concurrent resolution be forwarded by His Excellency the Governor to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

On motion of Mr. Normandin of Laconia, reading of the concurrent resolution was dispensed with.

Mr. Normandin of Laconia spoke in favor of the concurrent resolution.

On a *viva voce* vote the concurrent resolution was adopted.

Reconsideration

Mr. Normandin of Laconia, having voted with the majority, moved that the House reconsider its vote whereby it adopted the concurrent resolution and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

First and Second Reading of House Bills

HB 404, relative to salary for the register of deeds for Merrimack County (Gibson of Concord) to the Merrimack Delegation.

HB 405, prohibiting agreements for compulsory retirement (Stevenson of Bethlehem) to Labor.

HB 406, providing for the acquisition of certain dams and water rights by the water resources board (Stevens of Epsom and Hutchinson of Chichester) to Resources, Recreation and Development.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 87, relative to taxation of house trailers.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 52, relative to the licensing of dogs.

SB 73, to change the personnel of the Board of Managers of the New Hampshire Soldiers' Home.

Senate Bills Read and Referred

SB 52, to Ways and Means.

SB 73, to Military and Veterans' Affairs.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 53, relative to meetings of the inter-departmental committee on welfare and institutions.

HB 106, relative to frozen desserts.

HB 228, relative to immunities of members of the national guard.

A further Senate message announced that the Senate has voted to adopt the report of the Committee of Conference relative to:

HB 87, relative to taxation of house trailers.

Personal Privilege

Mr. Collishaw of Exeter rose on a point of personal privilege.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00

o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Reading

HB 343, relative to classification of a highway in the town of Goffstown and the city of Manchester, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mrs. Potter of Northumberland the House adjourned at 1:09 o'clock.

THURSDAY, MARCH 30, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, George D. Chapman of the First Congregational Church of Rindge, as follows:

Almighty Father, who hast created through our fathers a mighty nation out of the wilderness, we pray that Thou would be with us today as we conduct the affairs of our state. Grant that our desires may be in accordance with Thy Holy Will. Keep us from selfishness and hypocrisy. Create within us the dedication to the work before us that will lead to a spirit of service to all throughout our state that we may live in justice and peace.

Pledge of Allegiance to the Flag

Mr. Allen of Rindge led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. Marsan of Rochester was granted leave of absence for the day on account of attending a funeral.

Miss Bailey of Newport was granted leave of absence for the day on account of important business.

First and Second Reading of House Bills

HB 407, relative to the workmen's compensation law (Angus of Claremont) to Labor.

HB 408, relative to duties of selectmen (Claveau of Hudson) to Municipal and County Government.

HB 409, relative to election of school district officers at town meeting (Wiggin of Bedford, Claveau of Hudson and Green of Rye) to Judiciary.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House bill:

HB 97, providing for the assessment and collection of a special head tax for state purposes.

Committee Reports

Mr. Adams of Madbury for the Committee on Agriculture, HB 276, relative to purchase of milk for resale or manufacture. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Adams of Madbury for the Committee on Agriculture, HB 288, relative to rules and regulations and permit fees for receiving stations for milk. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Taft of Greenville for the Committee on Appropriations, HJR 8, in favor of the New Hampshire Veterans Association. Ought to pass.

On a *viva voce* vote the House Joint Resolution was ordered to a third reading.

Mr. Howe of Tilton for the Committee on Municipal and

County Government, SB 61, relative to town appropriations under the municipal budget law. Ought to pass.

Mr. Deans of Milford explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Point of Personal Privilege

Mr. Normandin of Laconia rose on a point of personal privilege.

Mr. King of Manchester asked the unanimous consent of the House to the motion for a suspension of the rules to reconsider the adoption by the House of a concurrent resolution ratifying a proposed amendment to the Constitution of the United States of America.

By a unanimous vote the motion was adopted.

Mr. King of Manchester moved that the House reconsider the action whereby it adopted said concurrent resolution.

On a unanimous vote the motion prevailed.

The question now being, shall the concurrent resolution be adopted.

Mr. Clement of Rochester moved that the concurrent resolution be referred to the committee on Judiciary.

By unanimous vote the motion prevailed.

Mr. Goode of Manchester moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

On a *viva voce* vote the motion was unanimously adopted.

Mr. Normandin of Laconia for the committee on Judiciary to whom was referred the concurrent resolution ratifying a proposed amendment to the Constitution of the United States of America, report the same with the recommendation that the concurrent resolution be adopted.

By a unanimous vote the concurrent resolution was adopted.

In answer to a parliamentary inquiry from Mr. King of Manchester the Chair stated that the concurrent resolution was adopted at 11:01 o'clock.

Mr. Goode of Manchester, having voted with the majority, moved that the House reconsider its adoption of the concurrent resolution.

By a unanimous vote the motion did not prevail.

Personal Privilege

Messrs. Normandin of Laconia, Chandler of Bartlett, King of Manchester and Geisel of Manchester rose on a point of personal privilege.

Taken From the Table

Under the rules, HB 199, relating to the salaries of mayor and councilmen of the city of Franklin, was taken from the table.

The question being on the committee amendment as printed in the Journal of Wednesday, March 22 on page 12.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Under the rules, HB 222, regulating the provisions for selling and serving milk, was taken from the table.

The question being on the committee amendment as printed in the Journal of Wednesday, March 22 on page 5.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 103, requiring earlier application by voters demanding insertion of an article in the warrant.

SB 92, relating to retirement benefits for Hazel D. Lord, beneficiary under nomination of Edgar L. Lord.

SB 86, relative to the term of office of highway agents in the town of Freedom.

Senate Bills Read and Referred

SB 103, to the committee on Judiciary.

SB 92, to the committee on Finance.

SB 86, to the committee on Executive Departments and Administration.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the adoption of the amendment of the Committee on Engrossed Bills to:

HB 4, relative to radiation protection.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 147, relative to the eligibility for release on parole at the expiration of the minimum term.

HB 263, relative to the fire department of the city of Franklin and to salary of the city treasurer.

HB 151, to permit the state library commission to enter into agreements or compacts.

Resolutions

Messrs. Cormier and Habel of Somersworth offered the following resolutions for the Strafford County Delegation:

Whereas, Fred Green, Representative from Rollinsford, has been ill for a long period of time, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend our sympathy to our Fellow Member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk transmit to Representative Green a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Moore of Bradford offered the following resolutions:
Whereas, Harlan P. Morse of Bradford has passed away,
and

Whereas, He was a former Representative to the General Court and former town clerk of Bradford, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to his services to his town and state and extend our deep sympathy to his family in its bereavement, and be it further

Resolved, That a copy of these Resolutions be transmitted by the Clerk of the House to Mr. Morse's son, George P. Morse.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only and House Joint Resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

The following House bills and House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence:

HB 276, relative to purchase of milk for resale or manufacture.

HB 288, relative to rules and regulations and permit fees for receiving stations for milk.

HJR 8, in favor of the New Hampshire Veterans Association.

HB 199, relating to the salaries of mayor and councilmen of the city of Franklin.

HB 222, regulating the provisions for selling and serving milk.

SB 61, relative to town appropriations under the municipal budget law, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Weeks of Greenland the House adjourned at 12:13 o'clock.

TUESDAY, APRIL 4, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, George Pennington:

The Winter turneth away. The Spring approacheth and we are made glad. The ice is borne on the swollen streams making their way to the sea, and soon buds will clothe the trees and birds will prepare their nests. We rejoice in the promise of the Spring and in all the beauty that it brings to us in our fair State.

Yet, we rejoice even more that Thy spirit, O God, dost reside within our breasts in all seasons to renew us, ever-present to quicken our lives. Make us, too, we pray, a reflection of Thy power and beauty. Amen.

Pledge of Allegiance to the Flag

Mrs. DeLude of Unity led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. Levasseur of Manchester was granted a leave of absence for the week on account of important business.

Messrs. Haskins of Lyme and Morris of Manchester were granted leaves of absence for the day on account of illness.

Mr. Plante of Manchester was granted leave of absence for this week and next on account of important business.

Mr. Hunter of Hampton was granted leave of absence for today and Wednesday on account of illness.

Mr. Hackett of Epping was granted an indefinite leave of absence on account of illness.

Introduction of Guests

The member from Manchester, Mrs. Ainley, was accompanied on the floor of the House by her four grandchildren from New York.

The Chair introduced a group of 8th grade Unity School children as guests of the House today, courtesy of Mrs. DeLude of Unity.

First and Second Reading of House Bills

HB 410, providing for training in safe handling of firearms by certain minors (Rollins of Alton) to Fish and Game.

HB 411, relative to appointment of ballot inspectors in the city of Claremont (Desnoyer of Claremont) to the Claremont Delegation.

HB 412, relative to additional grants of school building aid (Pillsbury of Manchester) to Education.

HB 413, making it possible for trustees and custodians to invest in life insurance, endowment and annuity contracts (Varney of Rochester) to Judiciary.

Committee Reports

Mr. Heald of Durham for the Committee on Education, SB 35, to broaden the curriculum at teachers colleges. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Varney of Rochester for the Special Committee consisting of the Members from the City of Rochester, HB 236, relative to qualifications for board of assessors for the city of Rochester. Inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. York of Concord for the Committee on Executive Departments and Administration, HB 360, relative to con-

tractors carrying workmen's compensation for contracts for janitorial services for state buildings. Inexpedient to legislate.

Mr. Flanagan of Dover moved that HB 360 be referred to the committee on Labor and spoke in favor of the motion.

Mr. MacIsaac of Laconia spoke against the motion.

On a *viva voce* vote the motion was lost.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Morse of Enfield for the Committee on Executive Departments and Administration, S.B. No. 62, relative to information reports from so-called small business corporations. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Dupont of Manchester for the Committee on Executive Departments and Administration, HB 352, relative to appeals for permanent state employees. Ought to pass.

At the request of Mr. Pillsbury of Manchester, Mr. Peterson of Peterborough explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Grimes of Dover for the Committee on Executive Departments and Administration, HB 327, relative to registration of tax appraisers. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Frost of Winchester for the Committee on Public Welfare and State Institutions, HB 307, relative to withdrawal of the state from the interstate compact on mental health. Inexpedient to legislate.

Miss Collyer of Lisbon moved that the bill be referred to the Legislative Council and spoke in favor of the motion.

Mr. Maxham of Concord spoke against the motion.

(discussion ensued)

Mrs. DeLude of Unity spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Miss Collyer of Lisbon demanded the Yeas and Nays and subsequently withdrew her request and asked for a Division.

The division vote being manifestly in the negative the motion was lost.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 355, providing for the classification of certain surface waters of the Otter brook watershed. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 150, to provide for a study of public access to the public lakes and ponds of the state over ten acres in extent. Ought to pass.

The Chair referred the bill to the committee on Appropriations under the Rules.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 262, relative to disposal of lumber slash. Ought to pass.

Mr. Chandler of Bartlett offered the following amendment:

Amend the bill by inserting after section 1 the following new section:

2 Railroads. Amend RSA 373 by inserting after section 18 the following new section: 373:18-a. Brush near Crossings. The commission shall require the railroad corporation operating over any highway or private crossing to clear and keep clear the brush in its right-of-way for a distance of five hundred feet along such right-of-way on both sides of such crossing. Such railroad corporation shall dispose of such brush in the manner provided by RSA 224:44.

Further amend said bill by renumbering section 2 to read section 3.

The Clerk read the amendment in full.

Mr. Chandler of Bartlett spoke in favor of the amendment.

At the request of Mr. Pillsbury of Manchester, Mr. Watson of Belmont explained the bill.

Mr. Pillsbury of Manchester asked for a ruling of the Chair as to whether or not the amendment was germane and subsequently withdrew his request.

Mr. Chandler of Bartlett withdrew his amendment and moved that the bill be recommitted to the committee on Resources, Recreation and Development and spoke in favor of the motion.

Mr. Watson of Belmont spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Larty of Haverhill for the Committee on Ways and Means, SB 47, relative to taxation of road building or construction equipment to be used for a temporary purpose. Ought to pass with amendment.

Amend RSA 73:5-a, as inserted by section 1 of the bill, by striking out in the seventeenth line the word "clerk" and inserting in place thereof the word, treasurer, so that said section as amended shall read as follows:

73:5-a Permit for Temporary Use. Whenever after April first and before December thirty-first a person, firm or corporation brings into any town in the state any road building, road repairing or construction machinery or equipment to be used for a temporary purpose and said machinery or equipment has not been taxed in the state for that year, said machinery or equipment may be used in said town for a period not exceeding ten days without being subject to taxation provided the owner or the person having the custody and control of said machinery or equipment obtains a permit to use said property in said town from the town clerk and pays the required fee therefor before using said property. The fee for said permit shall be ten dollars for each day and fractional part thereof for each piece of machinery or equipment. If the machinery or equipment is removed from the town before the time limitation of the permit has expired, a proportional part of the fee for the permit shall be refunded to the holder of the permit by the

town treasurer upon order of the selectmen. If said machinery and equipment remains in said town for more than ten days then the same shall be taxable and the amount of the permit fee paid shall be a credit against the amount of the tax assessed against the property. Failure to obtain a permit as herein provided before using said machinery or equipment shall be a misdemeanor punishable by a fine not exceeding two hundred dollars which, less the costs of court, shall be for the use of the town where the machinery was used.

Mr. Chandler of Bartlett moved that reading of the amendment be dispensed with and explained the amendment.

On a *viva voce* vote the motion was adopted.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Hill of Conway for the Committee on Ways and Means, HB 140, to repeal the tax on savings deposits and substitute another form of taxation therefor. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. DeLude of Unity for the Committee on Ways and Means, HB 293, relative to issue of bonds or notes by a school district. Inexpedient to legislate.

Mr. Willey of Campton moved that HB 293 be recommitted to the committee on Ways and Means and spoke in favor of the motion.

Mr. Chandler of Bartlett spoke against the motion.

(discussion ensued)

Mr. Hill of Conway and Mr. Kearns of Manchester spoke against the motion.

On a *viva voce* vote the motion was lost and the resolution of the committee was adopted.

Mr. Wildey of Westmoreland for the Special Committee consisting of the members from the county of Cheshire, SB 64, relative to the compensation of Cheshire County commissioners. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Wildey of Westmoreland for the Special Committee consisting of the members from the county of Cheshire, HB 219, relative to salary for the register of deeds for Cheshire county. Inexpedient to legislate.

Mr. Bowles of Portsmouth moved that HB 219 be laid on the table and subsequently withdrew this motion and moved that the bill be recommitted to the Cheshire County Delegation and spoke in favor of the motion.

Messrs. Allen of Rindge, Kearns of Manchester and Mrs. Palmer of Plaistow spoke against the motion.

(discussion ensued)

Mr. Miskelly of Keene moved that HB 219 be laid on the table.

On a *viva voce* vote the motion was not adopted.

The question now being on the motion to recommit the bill to the committee consisting of the Cheshire County delegation.

Mr. Bowles withdrew his motion to recommit.

On a *viva voce* vote the resolution of the committee was adopted.

Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 106, relative to frozen desserts.

Amend said bill by inserting in line 3 of section 1 thereof after the word "name" the word, by; further amend said bill by inserting in line 3 of section 1 thereof after the word "it" the word, is, so that the first paragraph of said section 1 shall read as follows:

1 Pure Foods. Amend RSA 146 by inserting after section 15 the following new section: 146:15-a Frozen Desserts. I.

Prohibitions. Any food, regardless of the name by which it is represented, made in semblance of frozen desserts or quiescently frozen confections, or prepared as such foods are customarily prepared or frozen, shall be deemed adulterated or misbranded, unless

On motion of Mr. Bowler of Hanover the House concurred in the Senate amendment.

Supreme Court Decisions

To the House of Representatives:

The Justices of the Supreme Court make the following reply to your request for advice upon the question: "Do any provisions of [House Bill 377] violate any provisions of the constitution of the state of New Hampshire?"

House Bill 377 would authorize the Forestry and Recreation Commission to acquire lands adjacent to existing state parks, or new areas, to be used, developed and operated under agreements with private or public agencies. It would authorize the issue of ten million dollars of state bonds the proceeds to be used exclusively for purposes of the act. Its stated purposes include the preservation and development of scenic, historic, scientific, and recreational areas, to the end that as tourist attractions they may promote the welfare and economy of the state and its inhabitants.

The purposes of the bill are public ones, for which public funds may properly be used. *Cf.* RSA chs. 216, 218, 219. All undertakings by the Commission are subject to approval by the Governor and Council, which presumably would be withheld if private rather than public benefits were likely to result. See *Opinion of the Justices*, regarding House Bill 225 rendered this day.

In the absence of any inquiry with respect to special features of the bill, we consider that our constitutional duty is fulfilled by expression of our opinion that the bill is constitutional on its face. So limited, our answer to your inquiry is "no."

Frank R. Kenison
Laurence I. Duncan
Amos N. Blandin, Jr.
Edward J. Lampron
Stephen M. Wheeler

April 4, 1961.

To the House of Representatives:

The Justices of the Supreme Court make the following reply to your request for advice upon the questions of whether "any provisions of [House Bill 225] violate any provisions of the constitution of the state of New Hampshire," and whether "the powers contemplated under [said bill] could . . . be extended to cover guarantees of loans to industry generally by the Industrial Park Authority."

House Bill 225 would amend RSA 162-A (supp) which established the Industrial Park Authority, the stated purpose of which was the "preservation and betterment of the economy of the state and its inhabitants" by provision of "areas suitable for the development of additional industries." RSA 162-A:1 (supp). The Authority was created in 1955 following an advisory opinion with respect to House Bill 424 of that session, certain provisions of which were then considered by the justices to be in conflict with the Constitution in the absence of any "provision for determination that particular undertakings by the Authority will serve the public purpose." *Opinion of the Justices*, 99 N. H. 528, 531.

Legislation was thereafter adopted in revised form with what is now RSA 162-A:8 (supp) inserted, requiring determination by the Governor and Council of whether a "proposed project will be of public use and benefit and within the authority conferred upon said corporation." *Cf. Opinion of the Justices*, 88 N. H. 484; RSA 481:7; *Conway v. Water Resources Board*, 89 N. H. 346.

In the advisory opinion of May 26, 1955 relating to the proposed Industrial Park Authority, the constitutional issue was stated thus: "The question is whether the expenditures will be primarily of benefit to private persons or private uses, which is forbidden, or whether they will serve public purposes for the accomplishment of which public moneys may properly be used." *Opinion of the Justices*, 99 N. H. 528, *supra*, 530. See Const. Pt. II, Art. 5th.

The same question appears to be pertinent with respect to section 1 of House Bill 225, to which your inquiries relate. This section would authorize the Governor with the advice and consent of the Council and in the name of the State "to guarantee payment of a portion of first mortgages on industrial real

property" within specified limits. The limits upon such guaranties are thereafter stated in subsections which follow. The meaning of subsection I is somewhat obscure, but is doubtless capable of clarification. This subsection states: "Such mortgage guaranty may be to the amount of one hundred per cent of the current appraised value of the secured realty," which we take to refer to the value of the "mortgaged realty." However the subsection next provides that "the guaranteed portion of such mortgage shall not exceed fifty per cent of the face amount of the secured realty," which appears to contradict the preceding provision, and is ambiguous as to whether the limit is fifty per cent of the "face amount" of the mortgage, or fifty per cent of the value of the mortgaged realty. The subsection continues: "provided always that in no event shall said guaranty . . . extend to or be construed to include the first fifty per cent (one-half) in value of said secured realty, land and buildings."

The purport of these provisions may have been more directly stated in the report recently made by the Industrial Progress Committee to the Governor, where it was stated: "A guarantee assumed by the State shall be limited to 50 per cent of the face amount of the [first] mortgage after not less than 50 per cent has been secured without guarantee." Report of the Industrial Progress Committee, p. 4 (Feb. 20, 1961). The report continued: "The effect of this provision is the possibility of 100 per cent financing of a new building to house a new industry when such construction is found warranted by the public interest." *Id.*

We assume that the quoted provisions of subsection 1 may be revised to more clearly state the proposal of the Committee. Cf. *Opinion of the Justices*, 99 N. H. 532, 535. On that assumption we are of the opinion that the further provisions of section 1 of the bill, headed "162-A:14-b" which would require determination by the Governor and Council of "whether the proposed guaranty will be of public use and benefit . . ." would adequately provide for establishment of the facts upon which the constitutional validity of any proposed guarantees would depend.

It should be added that this conclusion presupposes that any recommendation by the Authority to the Governor with respect to guaranty of a first mortgage under section 1 of the

bill would necessarily relate to a mortgage on industrial real property of the character described by the existing law, in a project qualified under RSA 162-A:8 (supp) *supra*. Such approval of the project, coupled with approval of the specific guaranty under section 1 of the bill, would in our opinion adequately assure that a guaranty so approved "bears directly and immediately . . . upon the public welfare," and is not "merely incidental and subsidiary to assistance rendered to private industry." *Opinion of the Justices*, 99 N. H. 528, *supra*, 530-531.

We therefore are of the opinion that the provisions of section 1 of House Bill 225 would not violate the constitutional requirement that public funds shall not be devoted to private purposes. *Conway v. Water Resources Board*, *supra*. See *Opinion of the Justices*, 99 N. H. 519, 523 (aid for nursing education); *Opinion of the Justices*, 94 N. H. 515 (guaranty of loans to housing authority); *Opinion of the Justices*, 88 N. H. 484 (guaranty of bonds of Water Resources Board). See also, *Velishka v. Nashua*, 99 N. H. 161; *Opinion of the Justices*, 322 Mass. 745.

The provisions of section 2 of House Bill 225 appear to require no extended consideration. These provisions would permit certain banking institutions to invest within specified limits in mortgages guaranteed by the State under section 1 of the bill. The question appears to be wholly one of the wisdom of the measure, which is purely a legislative question. See *Peterborough Savings Bank v. King*, 103 N. H. (No. 4906 March 7, 1961). No constitutional issue is suggested or apparent.

In view of the generality of your first question we do not deem it within our province to speculate on whether other constitutional issues might be raised. *Opinion of the Justices*, 101 N. H. 518, 523; *Opinion of the Justices*, 99 N. H. 525, 528. However no constitutional defects are apparent on the face of the bill. Subject to the limitations herein stated your first inquiry is answered "no."

Your second inquiry with respect to this bill is whether the power contemplated "could . . . be extended to cover guarantees to loans to industry generally by the Industrial Park Authority." This inquiry we interpret to relate to guaranties of mortgages without regard to any limitation that the mort-

gages or the industries concerned shall be identified with a project approved under RSA 162-A (supp). In the absence of further information (*Opinion of the Justices*, 97 N. H. 546) our answer to your second inquiry is "no."

Frank R. Kenison
Laurence I. Duncan
Amos N. Blandin, Jr.
Edward J. Lampron
Stephen M. Wheeler

April 4, 1961.

To the House of Representatives:

The Justices of the Supreme Court make the following reply to your request for advice upon the question: "Do any provisions of [House Bill 190] violate any provisions of the constitution of the state of New Hampshire?"

House Bill 190 would amend Laws 1951, c. 328 incorporating the New Hampshire Business Development Corporation, primarily for the purpose of granting the corporation additional powers. The original act of incorporation authorized the Corporation to call upon banks and insurance companies which are "members" of the corporation for loans to be utilized for business development.

House Bill 190 would authorize the Corporation to guarantee such loans, and would permit banks and other members to make loans upon the security of real estate or personal property mortgages up to 100% of the value of such security, where the excess of the loan above limits otherwise imposed upon such members has been guaranteed by the Corporation. The amendment would also authorize the Corporation to borrow from the U. S. Small Business Administration and to organize subsidiaries to qualify as small business investment companies under Congressional Act. 15 U.S.C.A., s. 681. Other provisions authorize it to increase its own capital stock, to revise its by-laws with respect to the election of directors, and define the responsibilities of member institutions under the amendment. Finally provision is made for acceptance of the amending act and defining the rights of dissenting stockholders, and of members voting against acceptance of the act. Your inquiry poses no specific question and no constitutional objections are apparent on the face of the bill. The act takes effect only upon acceptance

by vote of the stockholders, and members, and provision is made to protect the rights of dissenters, and of "members" who vote against acceptance of the amendment. See *Lorenz. v. Stearns*, 85 N. H. 494, 500-501; *app. dism.*, 287 U. S. 565.

The generality of your inquiry prompts us to accept the bill at face value, and limiting our answer to defects apparent upon the face of the bill our answer to your question is "no."

Frank R. Kenison
Laurence I. Duncan
Amos N. Blandin, Jr.
Edward J. Lampron
Stephen M. Wheeler

April 4, 1961.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 327, relative to registration of tax appraisers.

HB 352, relative to appeals for permanent state employees.

HB 355, providing for the classification of certain surface waters of the Otter brook watershed.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 35, to broaden the curriculum at teachers colleges.

SB 62, relative to information reports from so-called small business corporations.

SB 64, relative to the compensation of Cheshire County commissioners.

SB 47, relative to taxation of road building or construction equipment to be used for a temporary purpose, was read a third

time, passed, and sent to the Senate for concurrence in the House amendment.

On motion of Mrs. Griffin of Auburn the House adjourned at 12:59 o'clock.

WEDNESDAY, APRIL 5, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, George Pennington:

O God, we are mindful that disease and poverty terminate the lives of most of the children of the world before they reach maturity. We are aware that most of the people of the world lack the advantages of education. We know that these sober realities place us as a people in the vanguard of progress. We would be equally aware that they place a real responsibility, as well, on us. As our brothers in the race reach out for standards of living which they want for themselves and their children, may it be that we who are free may be both understanding and compassionate, and may it be seen that the essence of freedom is not gimicks and riches but the stewardship of human values.

Amen.

Pledge of Allegiance to the Flag

Mr. Terrill of Keene led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of students from Haverhill Academy as guests of the House, courtesy of the Haverhill Delegation.

First and Second Reading of House Bills

HB 414, providing for an additional appropriation for expenses of the legislature (Committee on Rules, Clement of Rochester) to Appropriations.

HB 415, relative to fees for private boat registration (Mac-Isaac of Laconia) to Ways and Means.

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to place HB 414 on third reading and final passage at the present time, and spoke in favor of the motion.

(discussion ensued)

The Clerk read the bill in full.

On a *viva voce* vote the motion was adopted.

Third Reading

HB 414, providing for an additional appropriation for expenses of the Legislature, was read a third time, passed, and sent to the Senate for concurrence.

Committee Reports

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 164, relative to acquisition of land for propagation of game. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 208, relative to revocation of hunting and fishing licenses. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 51, providing for open season for taking fisher. Ought to pass with amendment.

Amend section 2 of the bill by striking out in the seventh and eighth lines the words "White Mountain National Forest" and inserting in place thereof the words, counties of Coos, Car-

roll and Grafton, so that said section as amended shall read as follows:

2 Fisher. Amend RSA 210 by inserting after section 3 the following new section: 210:3-a Open Season. Fisher may be taken and possessed from November first to November thirtieth with the aid of and by the use of dog and gun and/or traps except within the counties of Coos, Carroll and Grafton. All fisher skins shall be sealed within ten days after the close of said season in the same manner and at the same fee as outlined in section 8. Whoever violates the provisions of this section shall be fined not more than ten dollars, nor more than fifty dollars additional for each fisher taken and possessed in violation hereof.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted.

At the request of Mr. Pillsbury of Manchester, Mr. Spalding of Plainfield explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Spalding of Plainfield for the Committee on Fish and Game, HB 68, relative to open season for taking fisher by the use of traps only. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. King of Manchester for the Committee on Appropriations, HB 64, relative to procedure for establishment of commercial code records in the office of the secretary of state. Ought to pass with amendment.

Amend said bill by striking out section 2 and inserting in place thereof the following: 2 Takes Effect. This act shall take effect upon its passage.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to dispense with the reading of HB 64.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to permit HB 64 to be placed on third reading and final passage at the present time.

On a *viva voce* vote the motion was adopted.

Third Reading

HB 64, relative to procedure for establishment of commercial code records in the office of the secretary of state, was read a third time, passed, and sent to the Senate for concurrence.

Committee Reports (cont.)

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 142, prohibiting hunting and the use of firearms in the town of New Castle. Inexpedient to legislate.

Mr. Jenkins of New Castle moved that the words, Ought to pass, be substituted for the report of the committee, inexpedient to legislate, and spoke in favor of the motion.

(discussion ensued)

Mr. Bowles of Portsmouth spoke in favor of the motion. Messrs. Spalding of Plainfield and Murch of Portsmouth spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Jenkins of New Castle offered the following amendment and spoke in favor of the amendment.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

I Town of New Castle. No persons shall within the limits of said town fire or discharge any pistol or rifle loaded with live ammunition, with the following exceptions:

1. For the protection of persons or property.

2. For the purpose of target practice, entirely within a building where adequate safety precautions have been taken.

No shotguns loaded with live ammunition shall be fired or discharged in the town of New Castle, with the following exceptions:

1. For hunting purposes along the water edges of the town, where the gun is discharged over the water.

2. By a property owner on his own land, in such a manner that the shot falls either on his own land or in the water surrounding the town.

3. By others on private land where the user of the gun has obtained and has on his person the written permission of the owner of such land, and under the same conditions as noted in the above paragraph.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 251, prohibiting hunting on Wednesday. Inexpedient to legislate.

Mr. Kurth of Tuftonboro moved that the words, ought to pass, be substituted for the report of the committee, inexpedient to legislate, and spoke in favor of the motion.

(discussion ensued)

Mr. Spalding of Plainfield spoke against the motion.

On a *viva voce* vote the motion was lost and the resolution of the committee was adopted.

Mr. Hancock of Concord for the Committee on Insurance, SB 26, in relation to automobile liability insurance. Ought to pass with amendment.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 New Hampshire Assigned Risk Plan. Amend RSA 412 by inserting after section 19 the following new section: 412:19-a Adoption of Assigned Risk plan. Every insurer authorized to transact in this state the business of motor vehicle bodily injury and property damage liability insurance shall, as a con-

dition precedent to the issuance or continuation of such authorization, subscribe to and in every respect be bound by the rules of the New Hampshire assigned risk plan now in effect in this state and on file in the office of the insurance commissioner. Amendments to the assigned risk plan may be proposed from time to time by the insurance commissioner or by the subscriber to the plan. Amendments proposed by the insurance commissioner shall become effective and binding upon all subscriber companies unless disapproved in writing filed with the insurance commissioner not more than thirty days after their proposal by at least ten per cent of all the subscribers writing not less than twenty per cent of the direct premiums for motor vehicle liability insurance in the state. Amendments proposed by the subscribers shall be submitted to the insurance commissioner through the manager of the plan and shall not become effective until approved by the insurance commissioner.

On motion of Mr. Hancock of Concord reading of the amendment was dispensed with.

Mr. Hancock of Concord explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Hancock of Concord for the Committee on Insurance, HB 117, relative to taxation of annuity premiums. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Hancock of Concord for the Committee on Insurance, HB 197, relative to payment of commissions by insurance companies. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. London of New London for the Committee on Judiciary, HB 138, relating to certificates and copies furnished by filing officer under Uniform Commercial Code and fees therefor. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following new title:

An act relating to fees for copies of certificates and minor technical corrections in the Uniform Commercial Code.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Commercial Code. RSA 382-A, the Uniform Commercial Code, as enacted by the Session of 1959, is hereby amended as follows:

I. Amend paragraph (b) of section 2-615, Article 2, Part 6, by striking out the word "clauses" in the first line and inserting in place thereof the word, causes, so that said paragraph as amended shall read as follows: (b) Where the causes mentioned in paragraph (a) affect only a part of the seller's capacity to perform, he must allocate production and deliveries among his customers but may at his option include regular customers not then under contract as well as his own requirements for further manufacture. He may so allocate in any manner which is fair and reasonable.

II. Amend paragraph (3) of section 3-102 of Article 3, Part 1, by striking out the definition "Documentary Draft. Section 4-104." in the ninth line.

III. Amend paragraph (1) of section 5-107, Article 5, by striking out the word "other" in the first line and inserting in place thereof the word, otherwise, so that said paragraph as amended shall read as follows: (1) Unless otherwise specified an advising bank by advising a credit issued by another bank does not assume any obligation to honor drafts drawn or demands for payment made under the credit but it does assume obligation for the accuracy of its own statement.

IV. Amend paragraph (4) of section 6-103, Article 6, by striking out the word "offer" in the second line and inserting in place thereof the word, officer, so that said paragraph as amended shall read as follows: (4) Sales by executors, administrators, receivers, trustees in bankruptcy, or any public officer under judicial process;

V. Amend paragraph (1) of section 6-104, Article 6, by striking out the reference "6-108" in the second line and inserting in place thereof the reference, 6-107, so that said paragraph as amended shall read as follows: (1) Except as provided with respect to auction sales (Section 6-107), a bulk transfer subject to this Article is ineffective against any creditor of the transferor unless:

VI. Amend section 6-105, Article 6, by striking out the reference "6-108" in the third line and inserting in place thereof the reference, 6-107; further amend said section by striking out the reference "6-107" in the seventh line and inserting in place thereof the reference, 6-106, so that said section as amended shall read as follows: Section 6-105. Notice to Creditors. In addition to the requirements of the preceding section, any bulk transfer subject to this Article except one made by auction sale (Section 6-107) is ineffective against any creditor of the transferor unless at least ten days before he takes possession of the goods or pays for them, whichever happens first, the transferee gives notice of the transfer in the manner and to the persons hereafter provided (Section 6-106).

VII. Amend paragraphs (1) and (2) of section 8-301, Article 8, Part 3, by striking out the same and inserting in place thereof the following:

(1) Upon delivery of a security the purchaser acquires the rights in the security which his transferor had or had actual authority to convey except that a purchaser who has himself been a party to any fraud or illegality affecting the security or who as a prior holder had notice of an adverse claim cannot improve his position by taking from a later bona fide purchaser.

(2) A bona fide purchaser in addition to acquiring the rights of a purchaser also acquires the security free of any adverse claim. "Adverse claim" includes a claim that a transfer was or would be wrongful or that a particular adverse person is the owner of or has an interest in the security.

VIII. Amend paragraph (1) of section 9-307, Article 9, Part 3, by striking out the word "interested" in the fifth line and inserting in place thereof the word, interest, so that said paragraph as amended shall read as follows: (1) A buyer in ordinary course of business (subsection (9) of Section 1-201) other than a person buying farm products from a person engaged in farming operations takes free of a security interest created by his seller even though the security interest is perfected and even though the buyer knows of its existence.

IX Amend paragraph (1) of section 9-402, Chapter 9, Part 4, by inserting after the word "concerned" in the tenth line the words, and the name of the known record owner thereof, so that said paragraph as amended shall read as follows: (1) A financing

statement is sufficient if it is signed by the debtor and the secured party, gives an address of the secured party from which information concerning the security interest may be obtained, gives a mailing address of the debtor and contains a statement indicating the types, or describing the items, of collateral. A financial statement may be filed before a security agreement is made or a security interest otherwise attaches. When the financing statement covers crops growing or to be grown or goods which are or are to become fixtures, the statement must also contain a description of the real estate concerned and the name of the known record owner thereof. A copy of the security agreement is sufficient as a financing statement if it contains the above information and is signed by both parties.

X. Amend paragraph (3) of section 9-402, Chapter 9, Part 4, by striking out the same and inserting in place thereof the following: (3) A form substantially as follows is sufficient to comply with subsection (1):

For Filing Office Use File
No.

Date and Hour of Filing

Maturity Date (if any)

(Last Name First)

Name of Debtor (or Assignor) Address

Name(s) of Other Debtor(s) (or Assignor) (if any) Address

Name of Secured Party (or Assignee)
..... Address

Name(s) of Other Secured Party or
Parties (or Assignees) (if any) Address
..... Address

1. This financing statement covers the following types (or items) of property:

Describe

CHECK (X) THE ITEMS WHICH APPLY

2. () (If collateral is crops) The above described crops are growing or are to be grown on: (General description of real estate and name of record owner)
3. () (If collateral is goods which are or are to become fixtures) The above described goods are affixed or are to be affixed to: (General description of real estate and name of record owner)
4. () Proceeds of collateral are also covered.
5. () Products of collateral are also covered.

Signature(s) of Debtor(s) (Assignee(s)) Signature(s) of Secured Party or Parties (Assignee(s))

.....

.....

.....

XI. Amend paragraph (2) of section 9-403, Chapter 9, Part 4, by inserting before the word “financing” in the tenth line the word, filed, so said paragraph as amended shall read as follows: (2) A filed financing statement which states a maturity date of the obligation secured of five years or less is effective until such maturity date and thereafter for a period of sixty days. Any other filed financing statement is effective for a period of five years from the date of filing. The effectiveness of a filed financing statement lapses on the expiration of such sixty day period after a stated maturity date or on the expiration of such five year period, as the case may be, unless a continuation statement is filed prior to the lapse. Upon such lapse the security interest becomes unperfected. A filed financing statement which states that the obligation secured is payable on demand is effective for five years from the date of filing.

XII. Amend paragraph (5) of section 9-403, Chapter 9, Part 4, by inserting after the word “statement” in the second line the words, or any amendment thereof, so that said paragraph as amended shall read as follows: (5) The fee for filing, indexing and furnishing filing data for an original or a continuation statement, or any amendment thereof, shall be two dollars.

XIII. Amend paragraph (2) of section 9-407, Article 9, Part 4, by striking out said paragraph and inserting in place thereof the following: (2) Upon request of any person, the filing officer

may issue his certificate showing whether there is on file on the date and hour stated therein, any presently effective financing statement naming a particular debtor and any statement of assignment thereof and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The fee for such a certificate shall be two dollars. Upon request the filing officer shall furnish a copy of any filed financing statement, continuation statement, termination statement, statement of assignment or statement of release for a fee of one dollar and, if such statement consists of more than one page, an additional fee of one dollar for the second and each succeeding page.

2 Takes Effect. This act shall take effect July 1, 1961.

On motion of Mr. London of New London, reading of the amendment was dispensed with.

Mr. London explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Frizzell of Charlestown for the Committee on Judiciary, H.B. 232, relating to the liability of landowners. Ought to pass with amendment.

Amend said bill by striking out all after the title and inserting in place thereof the following:

WHEREAS legislation is described to clarify and to codify the common law with respect to the duty of care owed by landowners towards others who may be on their premises for sporting or recreational purposes and not for purposes connected with landowner's own business, now therefore

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Recreational. Amend RSA 212 by adding at the end thereof the following new subdivision:

Liability of Landowners

212:34 Duty of Care. I. An owner, leasee or occupant of premises owes no duty of care to keep such premises safe for entry or use by others for hunting, fishing, trapping, camping, water sports, hiking or sightseeing, or to give any warning of

hazardous conditions, uses of, structures, or activities on such premises to persons entering for such purposes, except as provided in paragraph III hereof.

II. An owner, lessee or occupant of premises who gives permission to another to hunt, fish, trap, camp, hike or sightsee upon such premises does not thereby (a) extend any assurance that the premises are safe for such purpose, or (b) constitute the person to whom permission has been granted the legal status of an invitee to whom a duty of care is owed, or (c) assume responsibility for or incur liability for any injury to person or property caused by any act of such person to whom permission has been granted except as provided in paragraph III hereof.

III. This section does not limit the liability which otherwise exists (a) for wilful or malicious failure to guard or warn against a dangerous condition, use, structure or activity; or (b) for injury suffered in any case where permission to hunt, fish, trap, camp, hike or sightsee was granted for a consideration other than the consideration, if any, paid to said landowner by the state; or (c) for injury caused by acts of persons to whom permission to hunt, fish, trap, camp, hike or sightsee was granted to third persons as to whom the person granting permission, or the owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

IV. Nothing in this section creates a duty of care or ground of liability for injury to person or property.

2 Takes Effect. This act shall take effect sixty days after its passage.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Healy of Manchester Ward 6 for the Committee on Judiciary, H.B. 332, relative to liability for violation of law of the road. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary, H.B. 331, relative to administration of small estates. Ought to pass with amendment.

Amend the first paragraph of section 1 of said bill by striking out the words "one thousand" in the fourth line and inserting in place thereof the words, fifteen hundred, so that said paragraph as amended shall read as follows:

1 Small Estates. Amend RSA 553 by inserting after section 30 the following new section: **553:31 Administration of Small Estates.** If the estate of a deceased person consists entirely of personal property of a gross value not exceeding fifteen hundred dollars and after the expiration of thirty days from the date of his death, no petition under any other section of this chapter 553 has been filed, his surviving spouse, parent, lineal descendant, brother or sister, if of legal age and legal capacity and an inhabitant of this state, may file with the probate court in the county in which the deceased was domiciled at the time of his death an affidavit stating that the affiant has undertaken to act as voluntary administrator of such an estate and will administer the same according to law. The form of this affidavit and the rules governing proceedings under this section shall be prescribed in the manner provided by RSA 547:33.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. White of Portsmouth Ward 5 for the Committee on Public Health, H.B. 336, relative to sale of ice cream by weight. Inexpedient to legislate.

Mr. Keefe of Portsmouth moved that the words, ought to pass, be substituted for the report of the committee, inexpedient to legislate, and spoke in favor of the motion.

(Mr. MacIsaac of Laconia in the Chair)

Messrs. Porter of Lebanon and Nickerson of Goffstown spoke against the motion.

Mrs. Clark of Lee and Mr. O'York of Dover spoke in favor of the motion.

(discussion ensued)

Mr. Collishaw of Nashua moved that further consideration on HB 336 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Messrs. Cournoyer of Jaffrey, Williamson of Goshen and Adams of Madbury spoke in favor of the motion.

Messrs McGee of Lincoln, Pickett of Keene and Mahoney of Manchester spoke against the motion.

(discussion ensued)

Mr. Ecker of Manchester moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question now being on the motion to indefinitely postpone HB 336.

On a *viva voce* vote the motion was adopted.

Mr. Keefe of Portsmouth requested a division.

A division vote being manifestly in the affirmative the motion to indefinitely postpone prevailed.

(Speaker in the Chair)

Report of Engrossed Bills Committee

Mrs. Ayre of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following House Bills, House Joint Resolution and Senate Bills:

HB 1, relative to state advertising.

HB 207, establishing the Lake Sunapee Regional Planning Authority.

HB 231, relative to the salary of the justice of Northumberland municipal court.

HJR 4, relative to funds for the Eastern New Hampshire Turnpike.

HB 4, relative to radiation protection.

HB 53, relative to meetings of the inter-departmental committee on welfare and institutions.

HB 147, relative to the eligibility for release on parole at the expiration of the minimum term.

HB 151, to permit the state library commission to enter into agreements on compacts.

HB 228, relative to immunities of members of the national guard.

HB 263, relative to the fire department of the city of Franklin and to salary of the city treasurer.

SB 18, providing for the election of county commissioners for the county districts of Coos County.

SB 23, relating to the American Flag.

SB 55, relative to trespassing on private roadways with a motor vehicle.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 246, relative to absentee voting.

Amend said bill by striking out section 3 thereof.

Further amend said bill by renumbering section 4 to read section 3.

On motion of Mr. Peterson of Peterborough the House concurred in the Senate amendment. A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 37, permitting property tax exemptions of ski areas under certain conditions.

SB 38, to enable towns and cities to contribute to ski areas under certain conditions.

SB 105, relative to petitions for inquiry under the sexual psychopath act.

SB 99, to regulate the sale and use of hydraulic brake fluids for motor vehicles.

Senate Bills Read and Referred

SB 37, to Ways and Means

SB 38, to Ways and Means

SB 105, to Judiciary

SB 99, to Transportation

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HJR 4, relative to funds for the Eastern New Hampshire Turnpike.

HB 1, relative to state advertising.

HB 34, providing for the publication of the commercial code as a part of the Revised Statutes Annotated.

HB 94, relative to violations of hunting and boating laws by minors sixteen years of age or over.

HB 207, establishing the Lake Sunapee Regional Planning Authority.

HB 231, relative to the salary of the justice of Northumberland municipal court.

HB 15, relative to transportation of cylinders of liquefied petroleum gas.

HB 414, providing for an additional appropriation for expenses of the legislature.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order for this afternoon at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

SB 26, in relation to automobile liability insurance, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 164, relative to acquisition of land for propagation of game.

HB 208, relating to revocation of hunting and fishing licenses.

HB 51, providing for open season for taking fisher.

HB 142, prohibiting hunting and the use of firearms in the town of New Castle.

HB 117, relative to taxation of annuity premiums.

HB 138, relating to certificates and copies furnished by filing officer under Uniform Commercial Code and fees therefor.

HB 232, relating to the liability of landowners.

HB 332, relative to liability for violation of law of the road.

HB 331, relative to administration of small estates.

On motion of Mrs. Vey of Brentwood the House adjourned at 1:27 o'clock.

THURSDAY, APRIL 6, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Rabbi Samuel Umen of Temple Adath Yeshurun, of Manchester as follows:

God of the World,

Thou who guidest the destiny of men and nations, Thou who art the source of law and love, to Thee we pray and invoke Thy blessing upon the Governor of the State of New Hampshire, his councillors, and advisors, the legislators and executives of the State, and all who are entrusted with the power to pursue and promote the welfare of the State's inhabitants.

Lead them O Lord, in their deliberations and decisions, support them in their efforts to perform their duties, eagerly, ably, and successfully.

May the sessions in this "House", O God, prosper through dedication to justice, the glorification of righteousness and the sanctification of truth.

May this "House" always be the symbol of a people whose leaders are their faithful governmental servants and their true representatives. Amen.

Pledge of Allegiance to the Flag

Mr. Rosedoff of Nashua led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Messrs. Haley of Keene and Hill of Littleton were granted leave of absence for the day on account of important business.

First and Second Reading of House Bills

HB 416, relative to members of the Canterbury school board (Asby of Canterbury) to Education.

HB 417, relative to reclassification of roads in Colebrook and Stewartstown (Brooks of Stewartstown) to Public Works.

HB 418, relative to legislative mileage (Rollins of Alton, Ainley of Manchester and St. Pierre of Rochester) to Appropriations.

Committee Reports

Mr. Adams of Madbury for the Committee on Agriculture, HB 186, relative to licensing and bond for poultry dealers. Ought to pass with amendment.

Amend the first paragraph of section 1 of the bill by inserting before the word "product" in the fourth line the word, meat, so that said paragraph as amended shall read as follows:

1 Poultry Buyer's Bond. Amend RSA 344:1 (supp) by striking out said section and inserting in place thereof the following:

344:1 License Required. No person shall engage in the business of buying live poultry in this state, the meat or meat product of which is to be sold or used for food, from the owner thereof, as defined in this section, unless he has a license from the commissioner of agriculture. Licenses shall be issued in two forms:

Amend paragraph (1) of said section 1 by inserting before the word "product" in the sixth line the word, meat, so that said paragraph as amended shall read as follows:

(1) An unlimited license to each person who shall furnish a bond with sufficient surety in an amount to be determined by the commissioner of agriculture, but not to exceed fifty thousand dollars, payable to the state of New Hampshire and conditioned for the faithful performance of all legal obligations incurred in the buying and selling of live poultry, the meat or meat product of which is to be sold or used for food; such bond shall be held by the commissioner to satisfy any court judgment obtained or execution issued against any licensee because of failure to perform such legal obligation; and

Amend paragraph (3) of said section 1 by striking out said paragraph and inserting in place thereof the following:

(3) For purposes of this section "owner" is defined as any person having title to live poultry during the periods of time in which such poultry is being grown to marketable size or being kept for egg production.

Amend section 2 of this bill by striking out the word "April" and inserting in place thereof the word, July, so that said section as amended shall read as follows:

2. Takes Effect. This act shall take effect as of July 1, 1961.

On motion of Mr. Stevens of Epsom, reading of the amendment was dispensed with, and Mr. Stevens explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Griffin of Auburn for the Committee on Judiciary, SB 58, relative to permission to towns to appropriate money for payment of association dues. Ought to pass.

At the request of Mr. Chandler of Bartlett, Mrs. Griffin of Auburn explained the bill.

(discussion ensued)

Mr. Chandler of Bartlett spoke against the bill.

(discussion ensued)

Messrs. Pillsbury of Manchester, Coutermarsh of Lebanon, Pickett of Keene, Hill of Conway and Daniell of Franklin spoke in favor of the bill.

Mr. O'York of Dover spoke against the bill.

(discussion ensued)

Mr. Hambleton of Goffstown moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question now being, shall the bill be read a third time.

On a *viva voce* vote the bill was ordered to a third reading.

Report of Committee on Engrossed Bills

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 34, providing for the publication of the commercial code as a part of the Revised Statutes Annotated.

HB 414, providing for an additional appropriation for expenses of the legislature.

SB 35, to broaden the curriculum at teachers colleges.

SB 61, relative to town appropriations under the municipal budget law.

SB 62, relative to information reports from so-called small business corporations.

Committee Reports (cont.)

Mr. London of New London for the Committee on Judiciary, HB 340, relative to use of motor vehicles in connection with crimes or offenses. Inexpedient to legislate.

On a *viva voce* vote the resolution for the committee was adopted.

Mrs. White of Portsmouth, Ward 5 for the special committee consisting of the members from the city of Portsmouth, SB 60, increasing the salary of the clerk of the Portsmouth municipal court. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, HB 157, relative to retired members of the policemen's retirement system. Ought to pass.

The Chair referred the bill to the committee on Appropriations under the Rules.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, HB 158, relative to policemen's retirement system, twenty-five year plan. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to policemen's retirement system, thirty year plan.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Policemen's Retirement. Amend RSA 103:7 (supp) as amended by 1957, 50:2; 189:1, by striking out said section and inserting in place thereof the following: 103:7 Retirement Fund; Assessment on Salaries. The retirement and other compensation provided for by this chapter shall be paid out of a retirement fund, which shall consist of all moneys collected from assessments or appropriations or gifts provided for herein. At the beginning of each fiscal year the board shall fix the applicable rate of assessment upon the annual salaries of all permanent policemen who accept the provisions hereof. Prior

to July 1, 1953 such rate shall be four per cent, commencing July 1, 1953 and prior to July 1, 1957 it shall be five and three-fourths per cent, and commencing July 1, 1957 it shall be six and eighty-five one-hundredths per cent of each policeman's annual salary; provided, however, that in the case of policemen employed by a city having a population of more than thirty-four thousand inhabitants, such rate shall be four per cent prior to July 1, 1957, commencing July 1, 1957 and prior to July 1, 1961 it shall be four and one-half per cent, and commencing July 1, 1961 it shall be five per cent until the governing body of said city shall elect to discontinue its present policy of paying a supplementary retirement benefit to any permanent policeman employed by the city who may thereafter be granted a retirement benefit under the provisions of the New Hampshire Policemen's Retirement System. Subsequent to the aforesaid election of the governing body of such city the applicable rate of assessment upon the annual salaries of all permanent policemen employed by the city shall be six and eighty-five one-hundredths per cent. The board shall, in such manner as it may prescribe, give notice of the rate and amount of assessment of each permanent policeman's salary to the treasurer or other disbursing officer of the state, city, town, village or precinct where such permanent policeman is employed. All assessments under this section shall be payable in equal monthly installments on the last business day of each calendar month. It shall be the duty of the treasurer or other disbursing officer of the state, city, town, village, or precinct, employing permanent policemen, who accept the provisions hereof, to withhold from the monthly salary of each permanent policeman and to pay the board an amount equal to the monthly assessment against such permanent policeman's salary, as before provided. All permanent policemen who shall accept the provisions hereof by such acceptance agree that the treasurer or other disbursing officer of the state, city, town, village or precinct which employs them shall have the power to withhold from their monthly salaries the amounts as aforesaid. However, in the case of any policeman assessed by the board at the rate of five and three-fourths per cent prior to July 1, 1957 and at the rate of six and eighty-five one-hundredths per cent thereafter, no assessment shall be made prior to July 1, 1957 upon that part of his annual salary in excess of three thousand four hundred dollars, and commencing July 1, 1957 and prior to July

1, 1961 no assessment shall be made upon that part of his annual salary in excess of three thousand six hundred dollars. In the case of any policeman assessed by the board at the rate of four per cent prior to July 1, 1957 and at the rate of four and one-half per cent commencing July 1, 1957 and prior to July 1, 1961 and five per cent commencing July 1, 1961 no assessment shall be made upon that part of his annual salary in excess of two thousand four hundred dollars. Anything in this section to the contrary notwithstanding, any policeman who is over thirty-five years of age at the time he accepts the provisions of this chapter shall be assessed by the board on the part of his annual salary which would have been assessable had he been under age thirty-five on the date of such acceptance, at the increased rate determined in accordance with the following table:

Age at Accepting the Provisions of the Chapter	Percentage Rate of Assessment
36	6.90%
37	6.95
38	7.00
39	7.05
40	7.10
41	7.16
42	7.22
43	7.28
44	7.34
45	7.41
46	7.47
47	7.53
48	7.59
49	7.65
50	7.72
51	7.78
52	7.85
53	7.92
54	7.99
55	8.06
56	8.13
57	8.20
58	8.28
59 and over	8.36

2 Increase. Amend RSA 103:10 by striking out said section and inserting in place thereof the following: **103:10 Contributions by State.** On account of each policeman accepting the provisions hereof there shall be appropriated annually by the state for the purposes of this act a current service contribution of six-tenths of one per cent of the annual salary of each such policeman. In addition, there is hereby appropriated for the purposes of this act a past service contribution, which shall be payable until any deficit on account of past service has been liquidated, equal to the sum of one hundred and fifty thousand dollars annually and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. Of the assessments made upon the state on account of employees of the state police department, under the provisions of section 9, eighty-five per cent thereof shall be a charge upon the revenues of the motor vehicle department from motor vehicle registration, and the balance shall be a charge upon the general funds of the state and the governor is hereby authorized to draw his warrant for said balance out of any money in the treasury not otherwise appropriated.

3 Thirty Year Service. Amend RSA 103:12 (supp) as amended by 1957, 50:3; 189:2, by striking out said section and inserting in place thereof the following: **103:12 Retirement.** Any permanent policeman who accepts the provisions of this chapter may retire from active service after serving as a permanent policeman for a period of thirty continuous years, regardless of his then attained age, or after reaching the age of sixty-five regardless of his period of service as a permanent policeman. All permanent policemen who accept the provisions hereof and who have served as permanent policemen for thirty continuous years shall retire from active service at the age of seventy. Any permanent policeman accepting the provisions hereof who shall be dismissed from service after having served as a permanent policeman for a period of thirty continuous years, regardless of his then attained age, or after reaching the age of sixty-five regardless of his period of service as a permanent policeman, shall be entitled to the benefits of this chapter. Upon retirement a permanent policeman shall no longer be obligated to pay assessments to the retirement fund. The board may, if it deems proper, in a case of a break in a policeman's continuous service of not more than three years, construe as a period of con-

tinuous service the total service of such policeman, by adding his service before the break to his service after the break.

4 Computation of Amounts. Amend RSA 103:14 (supp) as amended by 1957, 50:4; 189:3, by striking out said section and inserting in place thereof the following: **103:14 Retirement Benefits.** Any permanent policeman who retires or is dismissed from service as provided in section 12, who accepted the provisions of this chapter prior to July 1, 1957 and who retires prior to July 1, 1961, and who shall have complied with all the provisions hereof and with the rules and regulations of the board, shall be entitled to receive from the retirement fund, for each year during the remainder of his life, a sum equal to one-half of his average annual salary for the five years next preceding his retirement as determined by the board, but in no event shall this sum be less than twelve hundred dollars per year or more than one-half of the assessed part of his annual salary at retirement; provided, however, that if at the date of his retirement he shall not have completed thirty years of continuous service the sum so determined shall be reduced pro rata in the proportion which the actual number of completed years of continuous service bears to thirty. The sum payable upon retirement of a permanent policeman who accepts the provisions of this chapter on or subsequent to July 1, 1957 and who retires prior to July 1, 1961 shall be equal to one-sixtieth of the assessed part of his average annual salary for the five years next preceding his retirement as determined by the board, for each year of his continuous service rendered after his attainment of age thirty reduced by one-one hundred twentieth of the assessed part of such average salary for each year of such service rendered since June 11, 1941 and prior to July 1, 1957; but in no event shall the sum payable be more than one-half of the assessed part of his annual salary at retirement. Any permanent policeman who retires or is dismissed from service as provided in section 12, on or after July 1, 1961 and who shall have complied with all the provisions hereof and with the rules and regulations of the board, shall be entitled to receive from the retirement fund, for each year during the remainder of his life, a sum equal to one-half of his average annual salary for the five years next preceding his retirement as determined by the board, but in no event shall this sum be less than twelve hundred dollars; provided, however, that in the case of a policeman employed by a city having a population of more than thirty-four thousand inhabitants, such sum

shall be equal to one-half of the assessed part of his average annual salary for the five years next preceding his retirement; and further provided, that if at the time of his retirement he shall have served as a permanent policeman for a period of less than thirty continuous years, such sum as computed above shall be reduced pro rata in the proportion which the actual number of completed years of continuous service bears to thirty. Anything to the contrary notwithstanding, an appropriate adjustment, as determined by the board under rules uniformly applicable to all policemen similarly situated, shall be made in the sum otherwise payable to the policeman if at any time subsequent to July 1, 1953 or subsequent to the date of his accepting these provisions, if later, the rate of assessment upon the assessable part of his annual salary has been less than five and three-fourths per cent. Retirement benefits shall be paid in equal monthly installments on the first business day of each calendar month.

5 Death or Permanent Disability. Amend RSA 103:15 (supp) as amended by 1957, 189:4, by striking out said section and inserting in place thereof the following: **103:15 Compensation in Case of.** Any permanent policeman accepting the provisions hereof who shall have become permanently and totally disabled to perform useful service, because of injury received in the actual performance of his duty, may be retired by the board, and shall be entitled to the benefits hereunder and shall receive an annual sum equal to one-half of the assessed part of his annual salary at the date of his disability, for the duration of such disability, as determined by the board, but in no case shall such payment be less than twelve hundred dollars per year. Any permanent policeman accepting the provisions hereof, who has performed faithful service in his department for at least twenty years and who shall become permanently and totally incapacitated from performing useful service, either mentally or physically, may be retired and shall be entitled to the benefits hereunder, and for the duration of his incapacity he shall receive an annual sum equal to one-half of his average annual salary for the five years next preceding the date of such permanent and total incapacity as determined by the board, but in no case shall such payment be less than twelve hundred dollars per year or more than one-half of the assessed part of his annual salary at retirement; provided, that if at the date of his incapacity he shall not have completed thirty years of serv-

ice the sum so determined shall be reduced pro rata in the proportion which the actual number of completed years of service bears to thirty, but in no case shall the policeman receive less than twelve hundred dollars per year; and further provided, that in the case of a policeman employed by a city having a population of more than thirty-four thousand inhabitants, such sum shall be twelve hundred dollars per year. However, an appropriate adjustment, as determined by the board under rules uniformly applicable to all policemen similarly situated shall be made in the sum otherwise payable to the policeman disabled because of injury in the actual performance of duty or incapacitated from performing useful service, either mentally or physically, if at any time subsequent to July 1, 1953, or subsequent to the date of his accepting these provisions, if later, the rate of assessment upon the assessable part of his annual salary has been less than five and three-fourths per cent. The fact of such disability or such incapacity shall be established from time to time as the board may require by a certificate of a physician designated by the board. In case a permanent policeman, accepting the provisions hereof, shall die as the result of injury received in line of duty, his widow, or if none, his minor child or children shall receive an annual sum equal to one-half the assessed part of the annual salary of such deceased policeman at the time of his death, but in no case less than twelve hundred dollars per year. This sum shall be payable until, in the case of a widow, she dies, or remarries, or in the case of a minor child or children, they die or reach the age of eighteen years, but if there is no wife, child or children under the age of eighteen years, surviving such policeman, then to his totally dependent father or mother, or both, or the survivor of them, as the board shall determine during dependency. In case the widow dies without remarrying and leaves a minor child or children, the payment shall continue until such minor child or children die or reach the age of eighteen years or marry before reaching the age of eighteen years. Said sums shall be paid in equal monthly installments on the first business day of each calendar month. Should such deceased policeman leave no widow, minor child or children, or totally dependent father or mother, his estate shall be entitled to receive from the retirement fund all payments made thereto by him, without interest. In case a permanent policeman, accepting the provisions hereof, shall die not as the result of injury received in line of duty, his widow, or,

if none, his living child or children under age eighteen shall receive, in addition to the amount payable under section 16 hereof, a lump sum equal to the assessed part of the annual salary of such deceased policeman at the time of his death, but, in no case less than twelve hundred dollars if his death occurs prior to July 1, 1961, and, if his death occurs on or after July 1, 1961, a lump sum equal to three thousand six hundred dollars, except in the case of a policeman employed by a city having a population of more than thirty-four thousand inhabitants, in which case the lump sum shall be two thousand four hundred dollars.

6 Refunds. Amend RSA 103:17 by striking out said section and inserting in place thereof the following: **103:17 Compensation Upon Death After Retirement.** The estate of any permanent policeman who shall die after having retired under the provisions of section 14 or section 15 hereof shall be entitled to receive from the retirement fund any excess of the total payments made thereto by him, without interest, over the aggregate retirement allowance payments received by him prior to his death. In addition, if his death occurs on or after July 1, 1961, a lump sum equal to three thousand six hundred dollars shall be payable, except in the case of a former policeman who was employed by a city having a population of more than thirty-four thousand inhabitants, in which case the lump sum shall be two thousand four hundred dollars, to his widow, or, if none, to his living children under the age of eighteen years.

7 Appropriation. For the purpose of paying the state's share for the policemen's retirement system for the fiscal year ending June 30, 1962, there is hereby appropriated the sum of \$164,335 and a like sum is hereby appropriated for the fiscal year ending June 30, 1963. The sums hereby appropriated shall be a charge upon the funds of the state as provided in RSA 103:10 as hereinbefore amended.

8 Takes Effect. This act shall take effect as of July 1, 1961.

On a *viva voce* vote the amendment was adopted and the Chair referred the bill to the committee on Appropriations under the Rules.

Mr. Morse of Enfield moved that the rules of the House be so far suspended as to permit the introduction of a com-

mittee report not previously advertised in the Journal and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Morse of Enfield for the Committee on Executive Departments and Administration, SB 94, relating to the Charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relating to the Charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester and relating to the power of the Nashua Hospital Association.

Amend said bill by inserting after section 1 the following new sections:

2 Nashua Hospital Association. Nashua Hospital Association, a voluntary corporation organized in 1892, is authorized to hold property without limitation as to the amount.

3 Repeal. Chapter 302 of the Laws of 1925, limiting the amount of property which Nashua Hospital Association may hold, is hereby repealed.

Further amend said bill by renumbering section 2 to read section 4.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Pillsbury of Manchester moved that SB 94 be put on third reading and final passage at the present time, by title only.

On a *viva voce* vote the motion was adopted.

Third Reading

SB 94, relating to the Charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester and relating to the power of the Nashua Hospital Association, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 64, relative to the compensation of Cheshire county commissioners. Ought to pass with amendment under Joint Rule No. 6.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Cheshire County. Amend RSA 28:28 (supp) as amended by 1955, 247:4; 269:1, 1957, 182:1; 246:1 by striking out the words "In Cheshire, one thousand six hundred dollars" and inserting in place thereof the words, In Cheshire, two thousand dollars, so that said section as amended shall read as follows:

The Clerk read the amendment in full.

On motion of Mr. Ballam of Walpole the House concurred in the amendment by the Engrossed Bills committee.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 291, in relation to discharging firearms.

Amend said bill by adding at the end of section 1 thereof the following: Any ordinance or by-law adopted by a city or town hereunder shall provide that notices printed with block letters not less than two inches in height with the words "no hunting or no discharging firearms" shall be posted along public highways in the restricted area at intervals of at least two hundred yards, so that said section as amended shall read as follows:

1 Firearms. Amend RSA 570:5 by striking out said section and inserting in place thereof the following: 570:5 Discharging Firearms, etc. No person shall, within the compact part of a town or city nor within the areas of a city or town designated by ordinance or by-law, fire or discharge any cannon, gun, pistol, or other firearms; nor fire or discharge any rockets, squibs, or firecrackers except by written permission of the chief

of police or the selectmen in the case of towns or the chief of police in the case of cities, nor knowingly raise or repeat a false cry of fire. Any ordinance or by-law adopted by a city or town hereunder shall provide that notices printed with block letters not less than two inches in height with the words "no hunting or no discharging firearms" shall be posted along public highways in the restricted area at intervals of at least two hundred yards.

Mr. Totman of Alstead moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Totman of Alstead, Gove of Concord and Normandin of Laconia as conferees on the part of the House.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 108, relating to permanent police officers.

SB 109, to provide full pay for employees of the state police incapacitated in line of duty subject to certain conditions.

SB 77, relative to bonds for public works.

Senate Bills Read and Referred

SB 77, to Public Works

SB 108, to Executive Departments and Administration

SB 109, to Executive Departments and Administration

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 47, relative to taxation of road building or construction equipment to be used for a temporary purpose.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 148, relative to classification of certain highways in the towns of Bedford and New Boston.

HB 137, extending the time during which an act relative to a certain bridge over the Merrimack river shall be effective.

Mr. Kearns of Manchester moved that the rules of the House be so far suspended as to permit the Speaker to sign a bill (SB 94) not previously considered by the Engrossed Bills Committee.

On a *viva voce* vote the motion was adopted.

Concurrent Resolution

Mrs. Brown of Sandwich offered the following concurrent resolution:

Resolved, that the University of New Hampshire Choir be invited to sing before the Joint Convention on Tuesday, April 18, 1961 at 11:01 A.M.

On a *viva voce* vote the concurrent resolution was adopted.

Resolutions

Mr. Plourde of Pembroke offered the following resolutions:

Whereas, we have learned of the passing of Harry K. Rogers of Pembroke, and

Whereas, Mr. Rogers has been a faithful member of the Forestry and Recreation Commission of the State of New Hampshire for thirty-one years, serving for many years as its chairman, therefore be it

Resolved, that we, the members of the House of Representatives in general Court convened, do hereby pay tribute to the memory of one who has served his state so faithfully, and extend our sympathy to the family in its bereavement and be it further

Resolved, that the Clerk be instructed to send a copy of these resolutions to Mrs. Rogers.

On a *viva voce* vote the resolutions were unanimously adopted.

The Chair announced that today is the birthday of Mr. Lemay of Manchester.

Messrs. Pillsbury and Kearns of Manchester, Pickett of Keene and Geisel of Manchester congratulated Speaker Lamprey on his coming birthday on April 8th.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 58, relative to permission to towns to appropriate money for payment of association dues.

SB 60, increasing the salary of the clerk of the Portsmouth municipal court.

HB 186, relative to licensing and bond for poultry dealers, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Barnard of Concord the House adjourned at 12:24 o'clock.

TUESDAY, APRIL 11, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, George Pennington, as follows:

Eternal God, we give Thee thanks for the destiny that has made us a free people, and, yet we know that not alone by Thy will nor by accident are we free, but by the inspiration of our

fathers, who with courage and sacrifice were determined that they and their children should live unfettered by the tyranny, the fears, the greed of other men.

Today, we know we must be capable of more than thanksgiving for our freedoms. We know that we must exercise the faith, the vision and the tenacity of conscience without which freedom cannot long exist. Above all, O God, save us from actions which breed suspicion and which serve as a channel for our anxieties. If freedom be our cherished value, let freedom be our way of life. Amen.

Pledge of Allegiance to the Flag

Mr. Congdon of Troy led the Convention in the Pledge of Allegiance to the Flag.

The Plymouth Teacher's College Choir led by Professor Walter P. Smith sang several selections before the Joint Convention.

On motion of Senator Monahan of the 5th District the Convention rose.

House

Introduction of Guests

The Chair introduced a group of Troy High School students as guests of the House today, courtesy of Mr. Congdon of Troy.

Leave of Absence

Mr. Brocklebank of Hollis was granted leave of absence for the day on account of illness.

Mr. Hart of Manchester was granted leave of absence for the week on account of a death in the family.

First and Second Reading of House Bills

HB 419, relative to the salaries of registers and deputy registers of probate (Eastman of Exeter) to Appropriations.

HB 420, relative to unemployment compensation (Angus of Claremont) to Labor.

HB 421, declaring any community antenna television system to be a public utility and prohibiting such public utility from selling or servicing certain appliances (Coutermarsh of Lebanon) to Judiciary.

HB 422, providing for the abolition of the milk control board (Hancock of Concord) to Agriculture.

HB 423, relative to discharge of firearms while hunting near dwellings and on or near public or private ways (Kurth of Tuftonboro) to Judiciary.

Committee Reports

Mr. Adams of Derry for the Committee on Agriculture, HB 323, defining agriculture, farming and farms. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Hambleton of Goffstown for the Committee on Banks, HB 313, relative to installment sales of motor vehicles. Inexpedient to legislate, subject matter covered by pending legislation.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Hambleton of Goffstown for the Committee on Banks, HB 366, relative to motor vehicle sales finance. Ought to pass with amendment.

Amend the amending clause of section 1 of said bill by striking out the same and inserting in place thereof the following:

1 New Title. Amend RSA by inserting after Title XXXIII the following new title:

Title XXXIII-A Retail Installment Sales Chapter 361-A

Retail Installment Sales of Motor Vehicles

Amend the numbering of all the sections of the new chapter which is inserted by the new chapter 361-A:1-12 in place of 396-A:1-12.

Amend paragraph VIII of 396-A:1 as inserted by section 1 of the bill as renumbered 361-A:1 by striking out the words "a Holmes note" in the seventh line so that said paragraph as amended shall read as follows:

VIII. "Retail installment contract" or "contract" means an agreement, entered into in this state, pursuant to which the title to, the property in or a lien upon the motor vehicle, which is the subject matter of a retail installment transaction, is retained or taken by a retail seller from a retail buyer as security, in whole or in part, for the buyer's obligation. The term includes a chattel mortgage, a conditional sales contract, and a contract for the bailment or leasing of a motor vehicle by which the bailee or lessee contracts to pay as compensation for its use a sum substantially equivalent to or in excess of its value and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of the motor vehicle upon full compliance with the provisions of the contract.

Amend sub-paragraph (4) of Paragraph II of 396-A:7 as inserted by section 1 of the bill as renumbered 361-A:7 by striking out said sub-paragraph and inserting in place thereof the following:

(4) The amount, if any, included for insurance and other benefits specifying the types of coverage and benefits, stating separately by rate or in terms of dollars, the amount charged for group sickness, accident and life insurance.

Amend sub-paragraph (7) of 396-A:7 as inserted by section 1 of the bill as renumbered 361-A:7 by adding at the end thereof the words "with the rates for group sickness, accident and life insurance, stated separately by rate or in terms of dollars," so that said paragraph as amended shall read as follows:

(7) The amount of the finance charge and specification of the type and rates of insurance coverage and benefits, if included therein

Amend sub-paragraph (7) of paragraph II of 396-A:7 as inserted by section 1 of the bill as renumbered 361-A:7 by striking out said sub-paragraph and inserting in place thereof the following:

(7) The amount of the finance charge and specification of the type and rates of insurance coverage benefits, if included

therein, with the rates for group sickness, accident and life insurance stated separately by rate of in terms of dollars.

Amend paragraph III of RSA 396-A:7 as inserted by section 1 of the bill as renumbered 361-A:7 by striking out the words "and of selecting an insurance company acceptable to the holder" in the fourteenth and fifteenth lines and inserting in place thereof the words, authorized by the insurance commissioner to do business in the state, so that said paragraph as amended shall read:

III. The amount, if any, included for insurance, which may be purchased by the holder of the retail instalment contract, shall not exceed the applicable premiums chargeable in accordance with the rates filed with the insurance commissioner. If dual interest insurance on the motor vehicle is purchased by the holder he shall, within thirty days after execution of the retail instalment contract, send or cause to be sent to the buyer a policy or policies or certificate of insurance, written by an insurance company authorized to do business in this state, clearly setting forth the amount of the premium, the kind or kinds of insurance, the coverages and all the terms, exceptions, limitations, restrictions and conditions of the contract or contracts of insurance. The buyer shall have the privilege of purchasing such insurance from an agent or broker of his own selection authorized by the insurance commissioner to do business in the state, but in such case the inclusion of the insurance premium in the retail instalment contract shall be optional with the seller.

Amend paragraph V of 396-A:7 as inserted by section 1 of the bill as renumbered 361-A:7 by adding at the end thereof the words, and the financier's out-of-pocket collection expenses, so that said paragraph as amended shall read as follows:

V. The holder may, if the contract so provides, collect a delinquency and collection charge on each installment in default for a period not less than ten days in an amount not in excess of five per cent of each installment or six per cent per annum on the total unpaid balance, whichever is greater. In addition to such delinquency and collection charge, the contract may provide for the payment of reasonable attorney's fees where such contract is referred for collection to an attorney not a salaried employee of the holder of the contract plus the court costs and the financier's out-of-pocket collection expenses.

Amend paragraph VI of 396-A:7 as inserted by section 1 of the bill as renumbered 361-A:7 by inserting after the word "buyer" in the thirteenth line the words, subject to adjustment only with reference to final closeout figure for any outstanding balance on a car traded in, so that said paragraph as amended shall read as follows:

VI. No retail installment contract shall be signed by any party thereto which it contains blank spaces to be filled in after it has been signed except that, if delivery of the motor vehicle is not made at the time of the execution of the contract, the identifying numbers or marks of the motor vehicle or similar information, and the due date of the first installment may be inserted in the contract after its execution; and except that said contract may be so signed provided the buyer is given at the time of such execution a bill of sale, invoice or similar memorandum clearly indicating the sales price, down payment, type or types of insurance coverage and the number, period and amount of payments; and provided said contract when completed conforms with said bill of sale, invoice or memorandum, and a copy of said contract is delivered to said buyer subject to adjustment only with reference to final closeout figure for any outstanding balance on a car traded in. The buyer's written acknowledgment, conforming to the requirements of (3) of paragraph I, of delivery of a copy of a contract shall be conclusive proof of such delivery, that the contract when signed did not contain any blank spaces except as provided, and of compliance with this section in any action or proceeding by or against the seller or the holder of the contract.

Amend paragraph VIII of 396-A:7 as inserted by section 1 of the bill as renumbered 361-A:7 by striking out said paragraph and inserting in place thereof the following:

VIII. A provision in a retail installment contract (1) for confession of judgment, power of attorney therefor, or wage assignment; (2) for the subsequent inclusion of title to or lien upon any goods, other than the motor vehicle which is the subject matter of the retail installment sale or accessories therefor or special or auxiliary equipment used in connection therewith, or in substitution, in whole or in part, for any such accessory or special or auxiliary equipment, as security for payment of the total time price; (3) whereby, in the absence of the buyer's default, the holder may accelerate the maturity

of any part of all of the time balance; (4) whereby a seller or holder of the contract, or other person acting on his behalf, is authorized to enter the buyer's premises unlawfully, or to commit any breach of the peace in the repossession of a motor vehicle; (5) whereby the buyer waives any right of action against the seller or holder of the contract, or other person acting on his behalf, for any illegal act committed in the collection of payments under the contract or in the repossession of the motor vehicle; (6) whereby the buyer executes a power of attorney appointing the seller or holder of the contract, or other person acting on his behalf, as the buyer's agent in the collection of payments under the contract or in the repossession of the motor vehicle; or (7) whereby the seller is relieved from liability for any legal remedies which the buyer may have had against the seller under the contract, or any separate instrument executed in connection therewith, shall not be enforceable.

Amend paragraph I of 396-A:8 as inserted by section 1 of the bill as renumbered 361-A:8 by striking out the word "eleven" in the tenth line and inserting in place thereof the word, nine, and by striking out the word "thirteen" in the twelfth line and inserting in place thereof the word, twelve, so that said paragraph as amended shall read as follows:

I. Notwithstanding the provisions of any other law, the finance charge shall not exceed the following rates:

Group 1. Any new motor vehicle designated by the manufacturer by a year model not earlier than the year in which the sale is made, seven dollars per one hundred dollars per year.

Group 2. Any new motor vehicle not in class 1 and any used motor vehicle designated by the manufacturer by a year model of the same or not more than three years prior to the year in which the sale is made, nine dollars per one hundred dollars per year.

Group 3. Any used motor vehicle not in class 2, twelve dollars per one hundred dollars per year.

Amend paragraph III of 396-A:8 as inserted by section 1 of the bill as renumbered 361-A:8 by adding at the end thereof the words, so that the finance charge may provide the same yield as is permitted in a regular payment transaction, so that said paragraph as amended shall read as follows:

III. When a retail installment contract provides for unequal or irregular installment payments, the finance charge may be at the effective rates permitted in paragraph I, having due regard for the schedule of payments so that the finance charge may provide the same yield as is permitted in a regular payment transaction.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Cote of Manchester for the Committee on Executive Departments and Administration, SB 68, relating to the annual report of the racing commission. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, HB 280, relative to a civil defense fire and rescue training center. Ought to pass with amendment.

Amend section 1 of the bill by inserting after the word "center" in the third line the words, for use of all civil defense and fire-fighting organizations, and by striking out the word "makes" in the fourth line and inserting in place thereof the words, continues to make, so that said section as amended shall read as follows:

1 Civil Defense. The civil defense agency is hereby authorized to establish in the town of Gilford on land by Lily pond now owned by the city of Laconia a civil defense fire and rescue training center for use of all civil defense and fire-fighting organizations provided the city of Laconia continues to make available to the state the area so specified without charge.

Amend section 3 of the bill by striking out the words "is authorized to" in the first line and inserting in place thereof the words, shall seek and may, so that said section as amended shall read as follows:

3 Federal Funds. The civil defense agency shall seek and may accept federal funds which may be made available to the state for the construction and establishment of the said training area.

Amend section 4 of the bill by striking out the words "The funds hereby appropriated shall be a continuing appropriation

and shall not lapse" in the seventh and eighth lines and inserting in place thereof the following words, The sum hereby appropriated is the total authorized to be spent from both state and federal funds. Any federal funds which may be received shall reduce the appropriation hereunder to the extent of such federal funds. Any federal funds which may be received for the purposes hereof which would, when added to state funds already then expended, exceed the total amount appropriated hereunder, shall be paid into the general funds of the state to the extent of such excess, so that said section as amended shall read as follows:

4 Appropriation. The sum of thirty-six thousand five hundred dollars is hereby appropriated to be expended by the civil defense agency for the following purposes: Tower, smoke-house and rescue section cubicles, ten thousand dollars; building for classroom, kitchen, toilet facilities and heating, twenty thousand dollars; equipment, five thousand dollars; maintenance and personal services, one thousand five hundred dollars. The sum hereby appropriated is the total authorized to be spent from both state and federal funds. Any federal funds which may be received shall reduce the appropriation hereunder to the extent of such federal funds. Any federal funds which may be received for the purposes hereof which would, when added to state funds already then expended, exceed the total amount appropriated hereunder, shall be paid into the general funds of the state to the extent of such excess. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

On motion of Mr. MacIsaac of Laconia reading of the amendment was dispensed with and Mr. MacIsaac explained the amendment.

On a *viva voce* vote the amendment was adopted and the Chair referred the bill to the committee on Appropriations under the rules.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 63, providing one season for the taking of deer. Ought to pass.

Mr. Rollins of Alton spoke in favor of the bill.

Mr. Deans of Milford moved that further consideration of HB 63 be indefinitely postponed and spoke in favor of the motion.

Messrs. Vashaw of Berlin, Coutermarsh of Lebanon, Plumer of Bristol, Spalding of Plainfield, Willey of Campton, Bowles of Portsmouth, Chandler of Bartlett and Miss Whipple of Lebanon spoke against the motion.

Messrs. Converse of Pittsburg, Rosedoff of Nashua, Watson of Belmont, Kimball of Derry and Mrs. Cole of Nashua spoke in favor of the motion.

Mrs. Brown of Sandwich spoke against the motion.

Mr. Hambleton of Goffstown moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

Mr. Kearns of Manchester requested a division vote.

On a division vote, 122 members having voted in the affirmative and 219 members having voted in the negative, the motion to indefinitely postpone was lost.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pillsbury of Manchester for the Committee on Judiciary, SB 13, relative to variations in federal census figures for the apportionment of state representatives. Ought to pass.

Mr. Bowles of Portsmouth moved that SB 13 be made a special order of business at 11:01 o'clock tomorrow and spoke in favor of the motion.

Mrs. Frizzell of Charlestown spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Brosnahan of Nashua for the Committee on Judiciary, SB 78, relative to investments legal for trustees. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. London of New London for the Committee on Judiciary, SB 79, relating to investments legal for guardians and conservators. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, SB 80, relative to the homestead right of minor children. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. London of New London for the Committee on Judiciary, HB 234, prohibiting the solicitations from candidates for election. Ought to pass with amendment.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Political Expenditures and Contributions. Amend RSA 70 (supp) as inserted by 1955, 273:1 by inserting after section 3 the following new section: 70:3-a Prohibitions. No person shall solicit or invite any contribution, subscription, or payment from any person who is a candidate for election to, or, prior to the expiration of his term of office, from any person who has been elected to, the office of governor, United States senator, representative in congress, councilor, state senator, representative to the general court, or county office, or from any political committee, for himself, or for any fraternal organization, labor organization, business organization, agricultural organization, veterans organization, religious organization, fraternal organization, lodge, secret society, club or similar organization, nor shall any person solicit or invite any such candidate or elected person or political committee to buy tickets to any entertainment or ball, or for the aid of any such organization, or to pay for space or advertising in any book, program, or publication, and no candidate, official or committee shall make any such contribution, subscription, payment or purchase. Any person violating any provision of this section may be fined not exceeding one hundred dollars.

Mr. London explained the amendment at the request of Mr. King of Manchester.

Mr. O'York of Dover moved that HB 234 be indefinitely postponed and spoke in favor of the motion.

Mr. London of New London and Mr. Miskelly of Keene spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion to indefinitely postpone was lost.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 148, relative to classification of certain highways in the towns of Bedford and New Boston and relative to certain access highways. Ought to pass with amendment under Joint Rule 6.

Amend RSA 229:24 and 229:25 as inserted by section 3 of said bill by striking out the figure "1" where it occurs in said sections and inserting in place thereof the figure, 23.

The Clerk read the amendment.

On motion of Mr. Galloway of Walpole the House concurred in the amendment.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 15, relative to transportation of cylinders of liquefied petroleum gas.

HB 37, relative to the method of taking wild deer in the town of Durham.

HB 94, relative to violations of hunting and boating laws by minors sixteen years of age or over.

HB 106, relative to frozen desserts.

HB 115, relative to non-forfeiture benefits and reserve valuations of life insurance policies and contracts.

HB 246, relative to absentee voting.

SB 26, in relation to automobile liability insurance.

SB 94, relating to the charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester, and relating to the power of the Nashua Hospital Association.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 267, relative to aircraft service operator certificate.

Amend said bill by inserting after paragraph 2 thereof the following new paragraph: 3 Amend RSA 422:34 by inserting after VIII the following new sub-section, IX For any person to engage in the operation of aircraft for hire as a common carrier of persons or in connection with flight training or for hire engage in the repair and maintenance of aircraft without an aircraft service operator's certificate.

Further amend said bill by renumbering paragraph 3 to read 4.

On motion of Mr. Henry of Concord the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 171, relative to unemployment compensation.

Amend HB 171 by striking out section 30 thereof and renumbering the subsequent sections 31 through 43 each one number lower so that said bill as amended shall consist of 42 sections in all.

On motion of Mr. Angus of Claremont the House concurred in the amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 115, relative to non-forfeiture benefits and reserve valuations of life insurance policies and contracts.

HB 37, relative to the taking of wild deer in Durham.

HB 254, relating to sale of horses for slaughter.

A further Senate message announced that the Senate has passed the following bills and joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 3, to provide for the appointment of an interim commission on education to study the organization of school districts and the higher educational facilities in the state.

SB 98, relative to mufflers on motor vehicles.

SB 48, amending the financial responsibility act.

Senate Bills Read and Referred

SJR 3, to Education

SB 98, to Transportation

SB 48, to Insurance

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bills:

SB 26, in relation to automobile liability insurance.

SB 94, relating to the charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester, and relating to the power of the Nashua Hospital Association.

Resolutions

Messrs. Crowley, Vachon, Bruton, Hayes and Martel of Manchester offered the following resolutions:

Whereas, we have learned with regret of the passing on Monday of this week of Mrs. Pope Treklas, mother of Nick Hart, our fellow representative from Manchester, now therefore be it

Resolved, that we, the members of the House of Representatives of the General Court of New Hampshire, for ourselves and for the attachés, extend our sincere and deep sympathy to Mr. Hart in his bereavement, and be it further

Resolved, that a copy of these resolutions be transmitted to him by the clerk of the house.

On a *viva voce* vote the resolutions were unanimously adopted.

Mrs. Frizzell of Charlestown moved that the House recall SB 55, relative to trespassing on private roadways with a motor vehicle, from the Governor and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mrs. Frizzell of Charlestown offered the following amendment.

Amend section 1 of the bill by adding at the end thereof the words, Provided, however, that whenever any such roadway or woods road intersects or merges with another such roadway or woods road, such point shall be deemed to be an entrance within the meaning of this chapter.

The Clerk read the amendment in full.

Mrs. Frizzell explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Pickett of Keene the rules of the House were suspended so as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills were read a third time, passed, and sent to the Senate for concurrence.

HB 323, defining agriculture, farming and farms.

HB 366, relative to motor vehicle sales finance.

HB 234, prohibiting solicitations from candidates for election.

HB 63, providing one season for the taking of deer.

Reconsideration

Mr. Chandler of Bartlett having voted with the majority moved that the House reconsider its vote whereby it passed HB 63 and spoke against the motion.

On a *viva voce* vote the motion was lost.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 68, relating to the annual report of the racing commission.

SB 78, relative to investments legal for trustees.

The following Senate bill was read a third time, passed, and sent to the Senate for concurrence in the House amendment:

SB 55, relative to trespassing on private roadways with a motor vehicle.

SB 79, relative to investments legal for guardians and conservators.

SB 80, relative to the homestead right of minor children.

On motion of Mrs. Weeks of Greenland the House adjourned at 1:43 o'clock.

WEDNESDAY, APRIL 12, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend Ray Leavitt, Jr., of the First Baptist Church of Meriden, as follows:

Our Heavenly Father: In a day of world tension and turmoil we rejoice in Thy Word, for Thy Word reminds us that our God reigneth, the Most High ruleth, He is Lord of all. We rejoice in Thy Word, for Thy Word reminds us that Thou hast ordained the powers that be; there is no power save that which Thou dost bestow; kingdoms rise and fall only in accordance with Thine eternal plan.

Grant to these whom Thou hast chosen to guide the affairs of this State, the wisdom which they need in discharging their responsibility toward their own fellow-men and toward Thee.

Enable them, our Father, to rule with justice and in the fear of Almighty God. In the name of the Lord Jesus. Amen.

Pledge of Allegiance to the Flag

Mr. Spalding of Plainfield led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of students from the Plainfield schools, courtesy of Mr. Spalding of Plainfield.

The Chair also introduced a group of women from the New Hampshire League of Women Voters as guests of the House today.

Leave of Absence

Mr. Peever of Salem was granted a leave of absence for the week on account of important business.

First and Second Reading of House Bills

HB 424, relative to supervisors of check-lists (Heald of Durham and Normandin of Laconia) to Municipal and County Government.

HB 425, providing for the date of processing to be inscribed on milk containers (Collyer of Lisbon) to Agriculture.

Committee Reports

Mr. Daniel of Manchester for the Committee on Military and Veterans Affairs, SB 73, to change the personnel of the Board of Managers of the New Hampshire Soldiers' Home. Ought to pass with amendment.

Amend section 1 of the bill by inserting after the words "Spanish War Veterans" in the nineteenth line the words, one of the said department of the American Legion, so that said section as amended shall read as follows:

1 Amend RSA 119:2 by striking out in line 6 thereof the word "or" and substituting in place thereof the word, six, fur-

ther amend said section by striking out in line 13 thereof the word "and"; further amend said section by striking out in lines 14 and 15 thereof the words, "or any other national veterans organization that may arise in the future" and substitute in place thereof the words, and one member of the Veterans of World War I of the U. S. A., Inc.; so that said section as amended shall read as follows:

119:2 Board of Managers. The government of the home is vested in the board of managers of the New Hampshire Soldiers' Home, consisting of the commanders of the following veterans' departments of New Hampshire ex-officiis, United Spanish War Veterans, American Legion, Veterans of Foreign Wars, a member of the Disabled American Veterans, Veterans of World War I of the U. S. A., and six citizens of the state, five of whom, at least, served in the armed forces of the United States in any war in which the United States has been, is, or shall be engaged, and who are, or shall be, discharged or separated therefrom under conditions other than dishonorable, to be appointed by the governor with the advice and consent of the council, and provided further that at least one of said appointees shall be a member of the said department of the United Spanish War Veterans, one of the said department of the American Legion, one of the said department of Veterans of Foreign Wars, one member of the Disabled American Veterans and one member of the Veterans of World War I of the U. S. A., Inc. Each appointed member shall hold office for a term of five years and until his successor is appointed and qualified; and in case of any vacancy, an appointment shall be made for the unexpired term.

On motion of Mr. Jenkins of New Castle, reading of the amendment was dispensed with and Mr. Jenkins explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Howe of Tilton for the Committee on Municipal and County Government, HB 357, providing for filling vacancy in office of town clerk. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Hanson of Bow for the Committee on Municipal and County Government, HB 378, providing for a referendum for

dissolving the Hillsborough Bridge Village Fire Precinct and transferring its functions to the town of Hillsborough. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Taken From the Table

SB 13, relative to variances in federal census figures for the apportionment of state representatives.

Mr. Bowles of Portsmouth offered the following amendment:

1. Page 2, line 13, strike out the word "certain" and insert in place thereof the word, all.
2. Page 2, line 14, strike out the word "shall" and insert in place thereof the word, may.
3. Page 2, line 15, strike out the word "should" and insert in place thereof the word, could.
4. Page 2, line 17, strike out the word "shall" and insert in place thereof the word, may.

The Clerk read the amendment in full.

Mr. Bowles of Portsmouth explained the amendment.

(discussion ensued)

Mr. Pillsbury of Manchester spoke against the amendment.

(discussion ensued)

Mr. Bowles of Portsmouth withdrew his amendment and offered the following amendment:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Authority Granted. The planning and development commission shall forthwith examine the figures set forth by the federal census of 1960 to ascertain what number of non-residents were included in the population of all towns and city wards of the state. Said commission may determine what figures could be used to ascertain the population of towns and city wards in the apportionment of representatives to the general

court and such figures may be used by the committee appointed to prepare said apportionment.

Mr. Bowles explained the amendment.

Messrs. Chandler of Bartlett, Pillsbury of Manchester and Mrs. Green of Rye spoke against the amendment.

On a *viva voce* vote the amendment was not adopted and the bill was ordered to a third reading.

Mr. Pillsbury of Manchester moved that the rules of the House be so far suspended as to place SB 13 on third reading and final passage at the present time.

On a *viva voce* vote the motion was adopted.

Third Reading

SB 13, relative to variances in federal census figures for the apportionment of state representatives, was read a third time, passed, and sent to the Secretary of State to be engrossed.

Reconsideration

Mr. Pillsbury of Manchester having voted with the majority moved that the House reconsider its vote whereby it passed SB 13 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Report of Engrossed Bills Committee

Mrs. Ayre of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 254, relating to sale of horses for slaughter.

SB 47, relative to taxation of road building or construction equipment to be used for a temporary purpose.

SB 64, relative to the compensation of Cheshire County commissioners.

Mr. O'Shan of Laconia moved that the rules of the House be so far suspended as to permit the introduction of a House Joint Resolution not previously approved by the Rules committee and spoke in favor of the motion.

Mr. King of Manchester spoke against the motion.

(discussion ensued)

Mr. O'Shan of Laconia asked the Yeas and Nays and subsequently withdrew his request.

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its action in defeating the motion to suspend the rules and spoke in favor of the motion.

Mr. O'Shan of Laconia spoke in favor of the motion.

Mr. Galloway of Walpole spoke against the motion.

Mr. Pickett of Keene withdrew his motion.

Mr. King of Manchester moved reconsideration.

On a *viva voce* vote the motion was lost.

Mr. O'Shan of Laconia asked for a division.

40 members having voted in the affirmative and 209 in the negative the motion was lost.

Senate Messages

The Senate has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the House of Representatives:

Whereas, The National Book Committee and the American Library Association sponsoring National Library Week for the second consecutive year, this year during the week of April sixteenth through the twenty-second, and

Whereas, The success of National Library Week in 1959, in drawing attention to the great part books and libraries play in molding and sustaining the American character is well known, and

Whereas, An insufficient number of Americans are aware of the opportunities offered to them by books and libraries and are also unaware of their obligation to maintain and improve statewide library service, and

Whereas, All the states of the union are concentrating upon the observance of National Library Week this year, now therefore be it

Resolved, By the Senate and House of Representatives in General Court convened, That the people of the State of New Hampshire be asked to give their support to the activities of National Library Week by way of increasing public awareness of the essential part played by books and reading in the social, intellectual, spiritual and economic life of this nation.

On a *viva voce* vote the concurrent resolution was adopted.

The Senate has voted to concur with the House of Representatives in its adoption of the amendment offered by the Committee on Engrossed Bills to the following entitled bill:

SB 64, relative to the compensation of Cheshire County Commissioners.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Reading

SB 73, to change the personnel of the board of managers of the New Hampshire Soldiers' Home, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

Mr. LaMott of Haverhill, having voted with the majority, moved that the House reconsider its passage of SB 73, and spoke against the motion.

On a *viva voce* vote the motion was lost.

On motion of Mrs. Martin of Littleton the House adjourned at 1:07 o'clock.

THURSDAY, APRIL 13, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Edwin J. Godden, West Rindge Methodist church:

Great Ruler of us all, bless, we pray Thee the leaders of this state. Strengthen the courage of these representatives here assembled — sincere men who want to do the right if only they can be sure what is right. Make it plain to them, O Lord, and then wilt Thou guide them in the right way.

Be Thyself with us here today, for we know deep down in our hearts that without Thy help men can do nothing that will abide. Without Thee, men will discuss more and more and settle less and less. Give to these our leaders the courage to admit mistakes when they are made. Let no personal ambition blind them to their opportunities. Give them Divine common sense and a selflessness that shall make them think of service and not of gain.

Knowing that criticism will come, help them to take from it what is helpful and to forgive what is unjust and unkind. Amid all the pressure brought upon them from day to day, may they ever hear Thy still, small voice and follow Thy guidance for the good of all the people, that Thy will may be done through these Thy servants. In all things, large or small, reveal Thy wisdom and Thy love; through Jesus Christ our Lord.

Amen.

Pledge of Allegiance to the Flag

Mr. Barnard of Concord led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

A group of 8th grade students from St. Peter's school in Concord were introduced as guests of the House, courtesy of the Concord Delegation.

Leaves of Absence

Mrs. Brown of Sandwich and Mr. Miskelly of Keene were granted leave of absence for the day on account of important business.

Miss Bailey of Newport, Miss Faulkner of Keene and Mr. Downing of Newport were granted leave of absence for the day on account of inclement weather.

First and Second Reading of House Bills

HB 426, relative to sewerage system at the Laconia state school (O'Shan of Laconia) to Resources, Recreation and Development.

HB 427, relative to minimum wage law (Linehan of Manchester — Ward 5) to Labor.

HB 428, relative to railroad crossings (Coutermarsh of Lebanon) to Transportation.

HB 429, relative to representative town meeting government (Claveau of Hudson) to Municipal and County Government.

Committee Reports

Mr. Perrault of Berlin for the Committee on Insurance, HB 118, relative to data processing systems. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Perrault of Berlin for the Committee on Insurance, HB 250, relative to certain insurance companies engaging in other business. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Perrault of Berlin for the Committee on Insurance, HB 321, relative to penalty for failure of insurance companies to pay claims. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Hackler of Swanzey for the Committee on Municipal and County Government, HB 408, relative to duties of selectmen. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Miss Loizeaux of Plymouth for the Special Committee consisting of the members from the county of Grafton, HB 8, increasing the salary of the Grafton county attorney. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "thirty-five hundred" in the fourth and fifteenth lines and inserting in place thereof the words, three thousand, so that said section as amended shall read as follows:

1 Grafton County Attorney. Amend RSA 7:35 (supp) as amended by 1955, 247:2, 1957, 34:1, 211:1 and 1959, 6:1 by striking out the words "In Grafton, twenty-four hundred dollars" and inserting in place thereof the words, In Grafton, three thousand dollars, so that said section as amended shall read as follows: 7:35 Salaries. The annual salaries of the county attorneys in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.

In Strafford, twenty-five hundred dollars.

In Belknap, two thousand dollars.

In Carroll, two thousand dollars.

In Merrimack, twenty-five hundred dollars.

In Hillsborough, thirty-eight hundred dollars.

In Cheshire, three thousand dollars.

In Sullivan, two thousand dollars.

In Grafton, three thousand dollars.

In Coos, twenty-four hundred dollars.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 354, relating to the disinfection of public water supply systems. Ought to pass with amendment.

Amend section 1 of the bill by striking out in the thirteenth line the words "one hundred" and inserting in place thereof the word, ten, and by striking out the words "one thousand" and inserting in place thereof the word, twenty-five, so

that said section as amended shall read as follows:

1 Water Supply Systems. Amend RSA 148 by inserting after section 24 the following new sections: 148:24-a Disinfection. Any public water supply system serving ten or more consumers (each family, tenement, store or other establishment being considered a single consumer) which system utilizes any of the surface waters of the state, as defined in RSA 149, as the source of supply, shall, as a minimum means of treatment, be provided with suitable chlorination or other disinfection facilities installed, operated and maintained in accordance with regulations of the state board of health promulgated hereunder.

148:24-b Penalty. Any municipality, corporation or person who shall fail to install or to operate and maintain disinfection facilities in accordance with the foregoing requirements shall be fined not less than ten dollars nor more than twenty-five dollars for each day of failure to so install, operate or maintain such equipment.

The Clerk read the amendment in full.

At the request of Mr. McGee of Lincoln, Mr. Hunter of Hampton explained the bill.

(discussion ensued)

Mr. Rice of Peterborough spoke in favor of the bill.

Mr. McGee of Lincoln moved that HB 354 be recommitted to the committee on Resources, Recreation and Development.

(discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

Messrs. Casassa of Hampton and Coutermarsh of Lebanon spoke against the motion.

On a *viva voce* vote the motion was adopted.

Mr. Coutermarsh of Lebanon requested a division.

198 members having voted in the affirmative and 100 in the negative the motion prevailed and HB 354 was recommitted.

Mrs. Roulston of Salem for the Committee on Executive Departments and Administration, HB 265 In New Draft, providing penalties for illegal operation of boats. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Committee Change

Mr. Wildey of Westmoreland was appointed to the committee on Judiciary as alternate for Mr. Carmen of Manchester.

Report of Engrossed Bills Committee

Mrs. Kinghorn of Piermont for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Senate Bills:

SB 58, relative to permission to towns to appropriate money for payment of association dues.

SB 60, increasing the salary of the clerk of the Portsmouth municipal court.

Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendment offered by the Committee on Engrossed Bills to the following entitled bill:

HB 148, relative to classification of certain highways in the towns of Bedford and New Boston and relative to certain access highways.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 55, relative to trespassing on private roadways with a motor vehicle.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 327, relative to registration of tax appraisers.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon be in order at the present time, that third

reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 118, relative to data processing systems.

HB 8, increasing the salary of the Grafton county attorney.

HB 265, providing penalties for illegal operation of boats.

On motion of Miss Spollett of Hampstead the House adjourned at 11:58 o'clock.

TUESDAY, APRIL 18, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Gerald Larson of St. Paul's Lutheran church of Berlin:

Almighty and ever-present Lord and King; as we meet to enforce the laws of this state, although we represent different parties, political ideals, nationalities, and faiths, may we be united in this one common truth which overshadows anything which would separate — that we represent not primarily a particular people or a particular state, but that we represent thee; that we are called upon not to appease people and do their will, but only to please thee and do thy will. May we also remember that all power belongs to thee in heaven and on earth and is given by thee to be used in governing thy people wisely and justly.

May we then as thy servants, armed with thy almighty power, be directed toward the common goal of seeking ever to do thy will on earth as it is in heaven.

To this end, may thy Holy Spirit direct us in our assembly to be high in purpose, wise in counsel, and unwavering in duty; and in the administration of our solemn charge, may we wholly be dedicated to thee, our state, and our fellowmen.

In the name of Christ our Lord we pray. Amen.

Pledge of Allegiance to the Flag

Senator Lamontagne from the First District led the House in the Pledge of Allegiance to the Flag.

The Joint Convention was entertained by the concert choir of the University of New Hampshire, consisting of 60 picked voices, under the direction of Prof. Karl H. Bratton.

This group has been heard many times on coast to coast broadcasts by National hookups, and appears annually with Arthur Feidler of the Boston Pops.

On motion of Senator Holmes of District 12, the Convention rose.

House

Leaves of Absence

Messrs. Peaslee of Concord, Haley of Keene, McCarthy of Laconia and Burke of Manchester were granted leave of absence for the week on account of illness.

Mr. Oliver of Marlboro was granted leave of absence for the day on account of illness.

Messrs. Ballam of Walpole and Magoon of Salem were granted leave of absence for the day on account of important business.

First and Second Reading of House Bills

HB 430, relative to use of municipal bond proceeds (King and Crowley of Manchester) to Municipal and County Government.

HB 431, relating to the exemption from property taxes of certain parts of the state airways system (Pickett of Keene, Coutermarsh of Lebanon) to Ways and Means.

Committee Reports

Mrs. Demers of Lebanon for the Committee on Education, HB 256, relative to technical institutes and vocational-technical schools. Ought to pass.

The Chair referred HB 256 to the committee on Appropriations under the Rules.

Mr. Low of Hanover for the Committee on Education, HB 187, authorizing the establishment of an interstate school district by Hanover, New Hampshire, and Norwich, Vermont. Ought to pass with amendment.

Amend section 19 of the bill by adding after the word "treasurer" in the fourth line the word, and; further amend by striking out in the fourth line the words "and a superintendent of schools", so that said section as amended shall read as follows:

19 Officers: General. The officers of the district shall be a board of school directors, a chairman of the board, a vice chairman of the board, a secretary of the board, a moderator, a clerk, a treasurer and three auditors. Except as otherwise specifically provided, they shall be eligible to take office immediately following their election; they shall serve for a period of one year; and they shall serve until their successors are elected and qualified. Each shall take oath for the faithful performance of his duties before the moderator or a notary public or justice of the peace in the state in which the oath is administered. Except as otherwise provided, their compensation shall be fixed by vote of the district. No person shall be eligible to any district office (except that of superintendent) unless he is a voter in the district. No member of the board of directors shall at the same time act as treasurer or auditor of the district or be employed as a teacher or principal.

Amend section 31 of the bill by striking out said section and inserting in place thereof the following:

31 Superintendent. The superintendent of schools shall be elected by a majority vote of the board of directors of the district. No person shall be elected superintendent of schools unless he has been approved for that office by the commissioner of education in New Hampshire and the commissioner of education in Vermont. The term of office, certification require-

ments, provisions for employment, membership in a state retirement system and his duties and responsibilities relative to a supervisory union in New Hampshire and Vermont shall be determined by the commissioners of education of New Hampshire and Vermont.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Demers of Lebanon for the Committee on Education, HB 227, relative to the construction of a physical education building at the University of New Hampshire. Ought to pass.

The Chair referred HB 227 to the committee on Appropriations under the Rules.

Mrs. Demers of Lebanon for the Committee on Education, HB 382, relative to the construction of a dining hall at the University of New Hampshire, cost to be liquidated from income. Ought to pass.

The Chair referred HB 382 to the committee on Appropriations under the Rules.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 36, relative to the transportation of deer. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 260, relative to damage to game and hunting with dogs. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 341, relative to publication of fish and game rules and regulations. Inexpedient to legislate.

Mr. Rosedoff of Nashua moved that the words, ought to pass, be substituted for the report of the committee, inexpedient to legislate, and spoke in favor of the motion.

Mr. Spalding of Plainfield spoke against the motion.

On a *viva voce* vote the motion to substitute was lost.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Pillsbury of Manchester for the Committee on Judiciary, SB 65, providing that the state of New Hampshire may enter into a compact with any of the New England states to provide for the control, development and execution of programs of cooperation for the confinement, treatment and rehabilitation of offenders. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, SB 82, relating to attachment liens. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary, HB 312, relating to holidays. Inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Bradley of Thornton for the Committee on Municipal and County Government, HB 401, relative to cooperative arrangements between towns for public recreational facilities. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Claflin of Wolfeboro for the Committee on Transportation, SB 3, relative to protection at railroad crossings. Ought to pass with amendment.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Stop Signs. Amend RSA 373 by inserting after section 10 the following new section: 373:10-a Dangerous Crossings. The public utilities commission shall have authority to order stop signs installed at particularly dangerous public crossings or private railroad crossings after hearing or on its own motion after investigation.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Clement of Rochester requested that the following material be printed in the Journal and explained the reason for his request.

In the absence of any objections from the House the Speaker so ordered.

April 18, 1961

Honorable Stewart Lamprey, Speaker
House of Representatives
State House
Concord, New Hampshire

Dear Mr. Speaker:

You will recall that pursuant to House Joint Resolution No. 6 we met in the Governor and Council Chambers in company with the Honorable F. Ray Keyser, Jr., Governor of Vermont, the President of our Senate, Samuel Green, the chairman of the House Appropriations Committee, Arnold T. Clement, the chairman of the Senate Finance Committee, Charles H. Cheney, and the President of the University of Vermont, John T. Fey. The conference was made necessary due to notice served upon me by the Vermont officials that despite the adoption of H.J. Res. 6 by the New Hampshire Legislature, New Hampshire residents would not be admitted to the University of Vermont Medical School in 1961 unless there could be official recognition by the State of New Hampshire of an obligation to the University of Vermont in the amount of \$51,560 covering New Hampshire residents now students at the Medical School or who have been students at the Medical School since the academic year of 1956.

In the course of the conference and in the presence of the legislators I have mentioned, I repeated the information previously given to the Governor of Vermont and the President of the University of Vermont that in order to achieve passage of H.J. Res. No. 6 I had made the commitment that no part of

the \$100,000 to be appropriated would be spent in connection with any claim covering previous years. In further discussion the officials of Vermont agreed that if recognition were given to the past obligation in the amount stated, the University would be satisfied if partial payment were made although on a per annum basis. Pending presentation of the entire matter to our House and Senate, it was agreed that upon their return to Montpelier the Governor and President would prepare for consideration here at Concord a proposed agreement between the University of Vermont and the State of New Hampshire. Subsequent to that time and in conference with you and other legislative leaders, it was proposed to me that perhaps the outright appropriation of \$51,560 would be the best approach to this problem and would best clear the air for the future.

If the Legislature decides to take this clear-cut approach with respect to the \$51,560 then it is my suggestion that at the same time your action make reference back to H.J. Res. No. 6 to eliminate any reference to the New England Board of Higher Education and simply empower Governor and Council to make payments over to the University under H.J. Res. No. 6 when we are satisfied from time to time that the evidence before us justifies the expenditure.

I am submitting to you, enclosed, a copy of the agreement which has been forwarded to me by Governor Keyser in the hope that it may suit your wish and convenience to have the same printed in the House Journal for the information and guidance of the membership of the Legislature. I will await your further advice with respect to the approach we should take to this problem, but would add that time is of the essence in connection with the consideration of applications by the Vermont Medical School received from New Hampshire residents. This proposed agreement has been read by the chairman of the Appropriations Committee, the Honorable Arnold T. Clement.

If the Legislature makes an outright appropriation of \$51,560 then it naturally follows that the enclosed suggested contract would be changed so as to eliminate any reference at all to past-due payments.

Most respectfully,

WESLEY POWELL

Agreement

This Agreement made and entered into this day of
A.D. 1961, by and between the State of New Hampshire,
hereinafter called the State, and the University of Vermont,
hereinafter called the University.

Witnesseth

The State, in accordance with and pursuant to the provisions of Chapter of the Public Laws of New Hampshire, 1961, and Resolution No. 6 enacted by the Legislature of the State of New Hampshire, January Session, 1961, approved , the State and the University agree as follows:

1. The University will enroll in its College of Medicine during the term of this agreement a number of students — up to but not in excess of twenty students in any one academic year — in the four-year curriculum of the Medical College. These students shall be approved by the Governor and the Governor's Council as New Hampshire residents eligible for the benefits provided by said Public Law of the State of New Hampshire and by said Resolution and who shall be qualified for admission in the said College of Medicine as the University in its discretion shall determine as having complied with the requirements for admission established by the University.

2. The University will charge and require each student approved by the Governor and the Governor's Council and admitted by the University to pay annual tuition and fees in amounts or sums no greater than amounts or sums charged by the University and required to be paid by residents of the State of Vermont for annual tuition and fees. Each and all students admitted to the said College of Medicine pursuant to the provisions of this agreement shall be accorded and shall enjoy equal rights and privileges as shall be accorded to and enjoyed by any and all students admitted to the said College of Medicine.

It is understood and agreed that the University — except as expressly provided herein — reserves and retains exclusive control and direction of the administration of the said College of Medicine.

3. Whether or not an individual is a resident of New Hampshire for the purpose of this agreement shall be determined by the Governor and the Governor's Council in accordance with the definition of the term "residence" and the policies relating thereto adopted by the Governor and the Governor's Council and in effect from time to time during the term of this agreement, and all determinations so made shall be conclusive and binding upon the State, the University and all other persons whomsoever.

4. The University will furnish the Governor and the Governor's Council an annual report of the status and performance of the students subject to this agreement.

5. In consideration of this agreement and undertaking the State of New Hampshire hereby agrees and undertakes to make the following payments to the University:

a. Such sums of money as are considered to be due and owing under a previous compact by the terms of which the University provided preferential admissions to students from the State of New Hampshire and under the terms of which as the result of such preferential admissions, the State of New Hampshire agreed to pay the sum of \$2,500.00 for each additional student over the number enrolled from the State of New Hampshire in the base year of 1956. Under the terms of said compact the amount now due and owing to the University of Vermont is \$51,560.00.

b. Upon certification of the names of the students admitted and enrolled in the said College of Medicine subject to this agreement, a sum equal to \$2,500.00 times the number of New Hampshire students admitted and enrolled in the said College of Medicine for each academic year such student shall be enrolled in said College of Medicine during the period or term of this agreement.

6. The Governor and the Governor's Council shall provide the administrative and other services necessary to carry out the provisions of this agreement.

This Agreement shall be in effect and force as of the day of A.D. 1961 and shall be of continuing effect and

force unless either party shall in writing notify the other parties before July 1 of any year preceding June 30 of the term year of intention to terminate this agreement.

This Agreement shall supersede any and all other agreements or arrangements of the parties relative to matters herein contained and shall be deemed to contain the entire agreement of said parties.

In Witness Whereof the parties hereto, each by its officer duly authorized thereunto, have executed this agreement and two duplicate originals of like tenor this day of
A.D. 1961

STATE OF NEW HAMPSHIRE

By:
Governor

THE UNIVERSITY OF VERMONT

By:
President

Report of Engrossed Bills Committee

Mr. Burrill of Littleton for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolution:

HB 92, to provide for cumulative pocket supplements for Revised Statutes Annotated.

HB 114, providing additional retirement allowances for certain retired teachers.

HB 137, extending the time during which an act relative to certain bridge over the Merrimack river shall be effective.

HB 148, relative to classification of certain highways in the towns of Bedford and New Boston.

HB 267, relative to aircraft service operator certificate.

HB 327, relative to registration of tax appraisers.

HJR 8, in favor of the New Hampshire Veterans Association.

SB 13, relative to variations in federal census for the apportionment of state representatives.

SB 55, relative to trespassing on private property.

SB 68, relating to the annual report of the racing commission.

SB 78, relative to investments legal for trustee.

SB 79, relative to investments legal for Guardians and Conservators.

SB 80, relative to the homestead right of minor children.

Senate Messages

The Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 89, to amend the charter of Cheshire County Savings Bank.

Senate Bill Read and Referred

SB 89, to the committee on Banks.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 273, relating to trust companies.

Amend said bill by striking out in line seven thereof the words "twenty-five" and inserting in place thereof the word, fifty. Further amend said bill by striking out in line eight thereof the word "four" and inserting in place thereof the word, six. Further amend said bill by striking out in line nine thereof the word "fifty" and inserting in place thereof the words, one hundred. Further amend said bill by striking out in lines nine, ten and eleven thereof the words "in those of more than ten thousand inhabitants it shall be not less than one hundred

thousand dollars”, so that paragraph 1 of the bill shall read as follows:

1 Minimum Par Value of Capital Stock. Amend RSA 392:25 and 392:26 by striking out the words “twenty-five dollars” where they occur in the last sentence of 392:25 and the first sentence of 392:26, and inserting in place thereof the following words, one dollar, so that said section as amended shall read as follows: 392:25 Limits; Shares. The capital stock of such corporation shall be not less than fifty thousand dollars. In towns and cities of more than six thousand inhabitants it shall be not less than one-hundred thousand dollars; and in those of more than fifty thousand inhabitants it shall be not less than two hundred thousand dollars. In no event shall the capital stock exceed five hundred thousand dollars. It shall be divided into shares of par value of not less than one dollar each.

On motion of Mr. Bigelow of Warner the House non-concurred in the Senate amendment and a committee of conference was appointed consisting of Messrs. Bigelow of Warner, Asby of Canterbury and DeLisle of Manchester as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 64, relative to procedure for establishment of commercial code records in the office of the secretary of state.

Amend said bill by striking out Section 1 and inserting in place thereof a new Section 1, so that said section shall read as follows:

1 Office of the Secretary of State. For the purpose of preparation for the operation of the commercial code in the office of the secretary of state there are hereby appropriated the following sums:

Division of commercial code:

Personal services:

Permanent	\$686.79
Other — Consultant Fees	500.00

Current expenses	200.00
Equipment	4,020.00
Furniture	600.00
	<hr/>
Total	\$6,006.79
	<hr/>

The sum of \$6,006.79 herein appropriated shall be a continuing appropriation and shall not lapse. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend said bill by striking out Section 2, and inserting in place thereof a new Section 2, so that said section shall read as follows:

2. Takes Effect. This act shall take effect upon its passage.

On motion of Mr. Clement of Rochester the House concurred in the Senate Amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 73, to change the personnel of the Board of Managers of the New Hampshire Soldiers' Home.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 92, to provide for cumulative pocket supplements for Revised Statutes Annotated.

HB 114, providing additional retirement allowances for certain retired teachers.

HJR 8, in favor of the New Hampshire Veterans Association.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session**Third Readings**

The following House bills were read a third time, passed and sent to the Senate for concurrence:

HB 187, authorizing the establishment of an interstate school district by Hanover, New Hampshire, and Norwich, Vermont.

HB 36, relative to the transportation of deer.

HB 260, relative to damage to game and hunting with dogs.

HB 401, relative to cooperative arrangements between towns for public recreational facilities.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 65, providing that the state of New Hampshire may enter into a compact with any of the New England states to provide for the control, development and execution of programs of cooperation for the confinement, treatment and rehabilitation of offenders.

SB 82, relating to attachment liens.

SB 3, relative to protection at railroad crossings, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

On motion of Mrs. Blanchette of Dover the House adjourned at 12:39 o'clock.

WEDNESDAY, APRIL 19, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Father Thomas P. Mason, of the Assumption Church of Tilton:

Let us pray: Almighty and Eternal God, from whom flows all lawful authority, we humbly acknowledge Thy dominion over our State and we express our gratitude for all the blessings which Thou hast showered upon it since its foundation. We are especially grateful for the freedom which we enjoy and for the voice which we have in our government. To this Body, in whom Thou hast invested a share of Thy authority, give O Lord, Thy kind assistance, so that they may use their authority intelligently and prudently, without bias or prejudice. Let the light of Thy divine wisdom direct their deliberations and shine forth in all the proceedings and laws framed for our rule and government so that both State and People will continue to grow in peace, happiness, virtue, industry, sobriety and useful knowledge. All this, we ask through Thy loving Son, Jesus Christ, who lives and reigns with Thee world without end.

Amen.

Pledge of Allegiance to the Flag

Mr. Heald of Durham led the Convention in the Pledge of Allegiance to the Flag.

House

Miss Marie Healy of Manchester, daughter of Representative Edward Healy of Manchester, Ward 8, concert, radio and opera singer, delighted the House with several musical renditions.

Introduction of Guests

The Chair introduced a group of 5th grade students from Oyster River Cooperative School, guests of the Durham, Lee and Madbury delegations.

The Chair also introduced a group of Tilton-Northfield High School students, guests of Mrs. Thompson of Northfield and Mr. Howe of Tilton.

A group of students from the Amoskeag School of Manchester were introduced, guests of the Manchester Delegation.

The Chair also introduced the following distinguished group from the state of Vermont as guests of the Chair:

Representative Samuel Fishman, House Minority Leader, State Senator John Boyland, Secretary of the Senate Earl Bishop, and Lt Governor Ralph Foote, who addressed the House.

Leave of Absence

Mr. Hill of Littleton was granted a leave of absence for the day on account of important business.

Committee Reports

Mr. Adams of Madbury for the Committee on Agriculture, HB 277 in new draft, relative to grading, packing, shipping and sale of apples. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 98, relating to the definition of unprotected birds. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 154, relative to ranch bred mink. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 261, relative to use of poisons for the control of certain birds. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 325, to prohibit the discharging of firearms in the vicinity of buildings. Inexpedient to legislate.

At the request of Mr. Deans of Milford, Mr. Spalding of Plainfield explained the bill.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 359, to provide for the sale of quail. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 163, to repeal free fish and game licenses for resident members of armed forces. Recommit to the Committee on Fish and Game in new draft.

On a *viva voce* vote HB 163 was recommitted to the committee on Fish and Game.

Mr. Hill of Conway for the Committee on Ways and Means, HB 248, to provide for a surcharge on the sale of liquors to assist county finance. Inexpedient to legislate.

Mr. Grimes of Dover moved that the words, Ought to Pass, be substituted for the report of the committee, Inexpedient to Legislate, and spoke in favor of the motion.

Mrs. DeLude of Unity moved that HB 248 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Messrs. Eastman of Weare, MacIsaac of Laconia and Mr. White of Derry spoke against the motion.

Messrs. Angus of Claremont and Gilman of Farmington spoke in favor of the motion.

(discussion ensued)

Recess

After Recess

The question being on the motion to indefinitely postpone.

Messrs. Charland of Franklin, Plumer of Bristol, Pickett of Keene, Chandler of Bartlett and Hill of Conway spoke in favor of the motion.

Messrs. Coutermarsh of Lebanon, Bradley of Thornton, O'York of Dover, Hart of Manchester, Daniel of Franklin and Miss Collyer of Lisbon spoke against the motion.

Mr. Kearns of Manchester moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

Mrs. Frizzell of Charlestown demanded the Yeas and Nays but subsequently withdrew her request and asked for a division.

190 members having voted in the affirmative and 116 in the negative, the motion to indefinitely postpone HB 248 prevailed.

Mr. Grimes of Dover demanded the Yeas and Nays and the roll was called as follows:

Roll Call

House Bill 248, to provide for a surcharge on the sale of liquors to assist county finance. The question being on Indefinite Postponement.

YEAS 196

STRAFFORD COUNTY: Berry, Blanchette, Stonemetz, Colbath, Richardson, Flanagan, Bevan, Heald, Drew, Clark of Lee, Reid, Rolfe, Marsan, Maxfield, Potvin, St. Pierre, Johnson of Rochester, Varney, Green of Rollinsford, Littlefield.

BELKNAP COUNTY: McAllister, Matheson, Lord, Lacaille, Stothart.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Thompson of Effingham, Blake, Taylor of Ossipee, Kurth, Fox.

MERRIMACK COUNTY: Guilbeault, Keneval, Hanson, Hutchinson, Davis of Concord, Henry, Gibson, Bingham, Seamans, Sanders, Maxham, Newell of Concord, Jennings of Concord, Brown of Danbury, McKay, Stevens, Gilman of Franklin, Charland, Dempsey, London, Thompson of Northfield.

HILLSBOROUGH COUNTY: Bragdon, Wiggin of Bedford, Farwell, Bartlett, Nickerson of Goffstown, Taft, Provencal, Lang, Pettigrew, Mahony, Bruton, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Clancy, Healy of Manchester, Ward 6; O'Conner, Lafrance, Plante, Tessier, Compagna, Craig, Delisle, Healy of Manchester, Ward 8; Cary, Morris, Kearns, Hurley, Noel, Roche, Dumas, Lemay, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Crowley, Vachon, Milliken, Underhill, Rosedoff, Brosnahan, Maynard, Dionne of

Nashua, Ward 6; Marcoux, Boisvert, Bouley, Grandmaison, Sablusi, Bouthillier, Peabody, Peterson.

CHESHIRE COUNTY: Totman, Watkinson, Stearns, Cournoyer, Desmarais, Keating, Parker, Bennett, Brown of Keene, Faulkner, Kretowicz, Pickett, Allen of Rindge, Hackler, Congdon, Ballam.

SULLIVAN COUNTY: Frizzell, Cann, Gaffney, Prudhomme, Angus, Nahill, Barrows, Desnoyer, Bailey, Downing, Rowell, Spalding, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Plumer, Johnson of Franconia, Bowler, Hayward of Hanover, LaMotte, Larty, Whipple, Burrill, Martin, Haskins, Cushman, Loizeaux, Berringer.

COOS COUNTY: Fortier, Roy, Desilets, Bouchard, Gagnon, Ledoux, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Bushey, Potter of Northumberland, Converse, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Spollett of Chester, Deming, Gay, Scott of Derry, Collishaw, Eastman of Exeter, Purington, Weeks, Spollett of Hampstead, Shepard, Cheney, Pinkham, Palmer, Keefe, Bowles, Murch, Dame, Chandler of Portsmouth, White of Portsmouth, Ward 5; Cross, Magoon, Peever, Roulston, Felch, Waterhouse.

NAYS 132

STRAFFORD COUNTY: Leighton, Wiggin of Dover, Grimes, O'York, Fellows, Littlehale, Adams of Madbury, Watson of Rochester, Maloomian, Habel, Cornier.

BELKNAP COUNTY: Rollins, Robertson, Normandin, Prescott, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Roberts, Brown of Sandwich, Nickerson of Tamworth, Chamberlain, Claflin.

MERRIMACK COUNTY: Moore, Allen of Concord, York, Hancock, Lovejoy, Barnard, Gove, Welch, Daniell of Franklin, Carpenter, Brock, Mulaire, Brown of Loudon, Thibeault, Brewster, Keith, Bigelow.

HILLSBOROUGH COUNTY: Edwards, Aucella, Hambelton, Jennings of Goffstown, Pickering, Eaton, Brocklebank, Cla-

veau, Gallagher, Warren, Ainley, Geisel, Hart, Hayes, Martel, Dupont, Cote, Belanger, Levasseur, Nalette, Allard, Gamache, Deans, Falconer, Hayward of Milford, Cole, Cooper, Dionne of Nashua, Ward 2; Sullivan, Chartrain, Mason, Lavallee, Locke, Karnis, Eastman of Weare.

CHESHIRE COUNTY: O'Neil, Gowing, Clark of Harrisville, Miskelly, Oliver, Wildey, Sawyer.

SULLIVAN COUNTY: Campbell, Guest, Weber, Williamson.

GRAFTON COUNTY: Gilbert, Willey, Chandler of Canaan, Morse, Gage, Low, Neale, Adams of Lebanon, Beard, Coutermarsh, Demers, Porter, Collyer, Kinghorn, Bell, Barney, Avery, Bradley, Anderson.

COOS COUNTY: Fontaine, Marsh, Oakes, Emerson, Brooks.

ROCKINGHAM COUNTY: Persson, White of Derry, Nickerson of East Kingston, Hackett, Jenkins, Sewall, Twardus, Carter, McDaniel, Driscoll, Stafford, Osborn, White of Portsmouth, Ward 4; Ingraham, Carkin, Langford, Greene of Rye, Barker.

PAIRS

Mr. Audet of Concord voting Yes, paired with Mrs. Vey of Brentwood voting No.

Mr. Bergeron of Manchester voting Yes, paired with Mr. Ecker of Manchester voting No.

Mr. Gilman of Farmington voting Yes, paired with Mr. King of Manchester voting No.

Mr. Terrill of Keene voting Yes, paired with Mr. Harkins of Laconia voting No.

Mr. D'Amante of Claremont voting Yes, paired with Mr. McGee of Lincoln voting No.

196 members having voted in the affirmative and 132 in the negative, the motion to indefinitely postpone prevailed.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 171, relative to unemployment compensation.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 332, relative to liability for violation of law of the road.

Amend section 1 of said bill by striking out in line six thereof the word "ten" and inserting in place thereof the word, fifty, so that said bill as amended shall read as follows:

1 Damages. Amend RSA 250:4 by striking out the words "but no action for such damages shall be sustained unless begun within one year" in lines 4 and 5, so that said section as amended shall read as follows: 250:4 Penalty. If any person shall violate any of the provisions of the three preceding sections he shall be fined not more than fifty dollars and in addition thereto shall be liable for the damages occasioned thereby.

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 331, relative to administration of small estates.

Amend section 1 of said bill by adding after the word "law" in line eleven thereof the following new sentence, Such voluntary administrator shall, at the time of filing such affidavit also file a report of gifts and transfers under RSA 86:22 with the register of probate and with the division of inheritance taxes, state tax commission, so that paragraph 1 of said section as amended shall read as follows:

1 Small Estates. Amend RSA 553 by inserting after section 30 the following new section: 553:31 Administration of Small Estates. If the estate of a deceased person consists entirely of personal property of a gross value not exceeding fifteen hundred dollars and after the expiration of thirty days from the date of

his death, no petition under any other section of this chapter 553 has been filed, his surviving spouse, parent, lineal descendant, brother or sister, if of legal age and legal capacity and an inhabitant of this state, may file with the probate court in the county in which the deceased was domiciled at the time of his death an affidavit stating that the affiant has undertaken to act as voluntary administrator of such an estate and will administer the same according to law. Such voluntary administrator shall, at the time of filing such affidavit also file a report of gifts and transfers under RSA 86:22 with the register of probate and with the division of inheritance taxes, state tax commission. The form of this affidavit and the rules governing proceedings under this section shall be prescribed in the manner provided by RSA 547:33.

Mr. Totman of Alstead moved that the House concur in the Senate amendment.

Mr. Pickett of Keene moved that HB 331 with amendment be made a Special Order of business for 11:01 tomorrow morning.

On a *viva voce* vote the motion was adopted.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 226, providing for a closed season on black bear. bear.

Amend HB 226 by striking out all after the enacting clauses and substituting in place thereof the following:

1 Open Season Established. Amend RSA 208 by adding at the end thereof the following new section: 208:22 Wild Black Bear. Wild black bear, outside of game preserves, may be taken and possessed from one-half hour before sunrise to one-half hour after sunset in all counties of the state from October 1 to December 10 provided that no bear shall be taken at any time on any island or in any waters or lakes or ponds. Wild black bear may be taken by the aid and use of dogs during the months of April, May, September and October with written permission of the director or his agents. Wild black bear may be taken by

the aid and use of dogs, firearms and by bow and arrow provided that no person shall take bear by the aid or use of a jack or artificial light, trap, snare, swivel, pivot or set gun or calibre .22 rimfire firearm unless otherwise provided. Any person who kills a wild bear as provided by this section shall report as outlined in RSA 470:1-a. Landowners, or their agents, shall be permitted to set traps for bear doing actual or substantial damage to property. Such trapping shall only be permitted after the director or his agents has been notified of damage and have investigated said complaint. The director or his agents may then issue a special permit for the use of traps. Said permit shall state the location of traps and the dates when trapping shall be allowed. Any traps set as hereinbefore described shall be arranged and set in accordance with RSA 210:15. The carcass of a bear legally taken and reported may be bought and sold. Live bear may not be offered for sale at any time unless by a person licensed so to do. Any person who violates any provision of this section shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

2 Takes Effect. This act shall take effect October 1, 1961.

On motion of Mr. Converse of Pittsburgh, reading of the amendment was dispensed with.

Mr. Converse of Pittsburgh moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted.

The Chair appointed Messrs Spalding of Plainfield, Cheney of Newton and Fortier of Berlin as the conferees on the part of the House.

A further Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

SB 73, to change the personnel of the Board of Managers of the New Hampshire Soldiers' Home.

Amend section 1 of said bill by striking out the first seven lines and inserting in place thereof the following:

I New Hampshire Soldiers' Home. Amend RSA 119:2 by striking out said section and inserting in place thereof the following:

On motion of Mr. Jenkins of New Castle the House concurred in the Engrossed Bills committee amendment.

The Senate further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 355, providing for the classification of certain surface waters of the Otter Brook watershed.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 277 at the present time by title only.

Third Reading

HB 277, relative to grading, packing, shipping and sale of apples, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were further suspended as to permit third reading and final passage of HB 154 at the present time by title only.

Third Reading

HB 154, relative to ranch bred mink, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were further suspended as to permit third reading and final passage of HB 359 at the present time by title only.

Third Reading

HB 359, to provide for the sale of quail, was read a third time, passed, and sent to the Senate for concurrence.

Supreme Court Decision

To the House of Representatives:

The undersigned Justice of the Supreme Court make the following reply to your request for advice upon the following questions:

"1. Would any constitutional provisions be violated by restricting outdoor advertising as provided in House Bill No. 24 as amended?

"2. Without in any way limiting the generality of question No. 1, would the enactment of House Bill No. 24, as amended, for the purpose of securing funds offered by the United States, as disclosed in said Bill and amendment, violate any constitutional provisions?"

The criticism of the bill centers upon the proposition that it is not a valid exercise of the police power of the State. The purpose of the bill is declared in the preamble to be as follows: "It is hereby declared to be the policy of this state and in the public interest to provide for maximum visibility along the interstate system and connecting roads or highways, to prevent unreasonable distraction of operators of motor vehicles, to prevent confusion with regard to traffic lights, signs or signals or otherwise interfere with the effectiveness of traffic regulations, to promote maximum safety, comfort and well-being of users of the interstate highway system and to preserve and enhance the natural scenic beauty or the aesthetic features of the interstate highway system and adjacent areas." While the purposes as above stated are not determinative (*Opinion of the Justices*, 99 N. H. 528, 530), they are nevertheless entitled to weight in determining the constitutionality of the proposed law. *Velishka v. Nashua*, 99 N. H. 161, 165. The decisive question is whether the act has some rational tendency to promote the objects it seems to advance. *Chung Mee v. Healy*, 86 N. H. 483.

At the outset we must recognize that interstate highways are built with taxpayers' money to promote the general welfare and safety of the public by affording means of swift, safe and pleasurable travel for all, and not to secure commercial advantages for a limited number of advertisers. Whatever value billboards along such highways possess is due to the presence of the public whose tax money has constructed the highways. *Kelbro, Inc. v. Myrick*, 113 Vt. 64, 67-68. The safety, well-being and legitimate enjoyment of the public in the use of the highways is the paramount consideration of the bill.

The police power, the function of which is to insure this, is of broad and valid application. *Noble State Bank v. Haskell*, 219 U. S. 104, 111; *Berman v. Parker*, 348 U. S. 26, 32-33. Fur-

thermore, if it is to serve its purpose in the face of the magnitude and rapidity of the changes occurring today, it must be of a flexible and expanding nature to protect the public against new dangers and to promote the general welfare by different methods than those formerly employed. With vehicles hurtling along at the speed which characterizes travel on interstate or so-called super highways, an instant's inattention or confusion may be disastrous. We need not labor the point that anything beside the road which tends to distract or confuse the driver of a motor vehicle directly affects public safety. Signs of all sizes, shapes and colors, designed expressly to divert the attention of the driver and occupants of motor vehicles from the highway to objects away from it, may reasonably be found to increase the danger of accidents, and their regulation along highways falls clearly within the police power.

Another consideration bearing on the constitutionality of the bill rests on the fact that New Hampshire is peculiarly dependent upon its scenic beauty to attract the hosts of tourists, the income from whose presence is a vital factor in our economy. That the general welfare of the State is enhanced when tourist business is good and affected adversely when it is bad, is obvious. It may thus be found that whatever tends to promote the attractiveness of roadside scenery for visitors relates to "the benefit and welfare of this state" and may be held subject to the police power. See *Maritime Packers v. Carpenter*, 99 N. H. 73, 77.

It seems unnecessary to decide here whether aesthetic considerations alone furnish ground for the exercise of the police power as is increasingly stated by modern authorities (*Berman v. Parker*, 348 U. S. 26, 32-33), though denied under earlier decisions. *Passaic v. Patterson Bill Posting Co.*, 72 N. J. L. 285. In any event, in this day and age we do not believe that such can be entirely ignored and without stating that they are decisive, we hold that the maintenance of the natural beauty of areas along interstate highways is to be taken into account in determining whether the police power is properly exercised. *Murphy v. Westport*, 131 Conn. 292; *State v. Wieland*, 269 Wis. 262.

Bearing in mind all the factors involved, in our opinion the regulation of outdoor advertising along interstate highways is a valid exercise of the police power. *Rockingham Hotel Co. v.*

North Hampton, 101 N. H. 441, 444; *Chung Mee v. Healy*, 86 N. H. 483. Such regulation is therefore not an unconstitutional taking of property without compensation.

The opponents of the proposed bill also attack it upon the grounds that the classification of billboards which permits advertising devices for products originating on the premises of the owners but forbids signs for products not so originating, is arbitrary, discriminatory and without any sound basis. *Central Outdoor Advertising Co. v. Village of Evandale*, 124 N. E. 2d 189, (Ohio, Court of Common Pleas). We do not think that this is so. It appears to us that a valid distinction exists between signs which advertise businesses conducted on the premises including the offering for sale of the property upon which these signs are located, and those benefiting in the main national producers whose solicitude is for their own welfare and not that of the community. *Rockingham Hotel Co. v. North Hampton*, 101 N. H. 441, 444-445. Other courts have reached the same conclusion. *Kelbro, Inc. v. Myrick*, 113 Vt. 64, 74.

The argument that the proposed law would deprive owners of property without compensation and would operate retrospectively does not require extended consideration. The opponents agree in accord with the settled rule that billboards which are nuisances may be removed without compensation to the owners. We believe that the legislative finding, which is entitled to great weight (*Opinion of the Justices*, 88 N. H. 484, 490) that billboards in proximity to the highway, such as are forbidden by the proposed law are nuisances, is sustainable as a general proposition and the objection to the bill upon this ground cannot prevail. If in a specific situation a sign which is in fact not a nuisance is forbidden by the bill its removal should be required only upon payment of compensation. See *Matter of Harbison v. City of Buffalo*, 4 N. Y. 2d 553, 564; 44 Cornell L. Q. 450; *People v. Miller*, 304 N. Y. 105.

Your second inquiry is whether House Bill No. 24, as amended, would be unconstitutional because one of its purposes is to secure funds offered by the Federal Government. The fact that valid legislation may be induced in part by the consideration that such funds will assist in furthering the policies of the legislation violates no provision of our Constitution.

Unquestionably the State cannot delegate its sovereign police power (*Trustees &c. Academy v. Exeter*, 90 N. H. 472, 487-488) but the provisions of the bill require no such delegation.

In conclusion the answer to both of your questions is no.

Frank R. Kenison
Laurence I. Duncan
Amos N. Blandin, Jr.
Edward J. Lampron
Stephen M. Wheeler

April 19, 1961.

Announcements

The Chair announced that yesterday was the 50th wedding anniversary of Representative and Mrs. Kenneth Bell of Plymouth.

The Chair also announced that today is the birthday of Mr. Crockett of Gorham.

Mr. Barnard of Concord moved that the House adjourn from the morning session.

On a *viva voce* vote the motion prevailed.

Afternoon Session

On motion of Mr. Pickett of Keene the House adjourned at 3:50 o'clock to meet tomorrow morning at 11:00 o'clock.

THURSDAY, APRIL 20, 1961

The House met at 11:00 o'clock.

Prayer was offered as follows by the Chaplain, George Pennington:

O God, we would invoke Thy spirit of comfort and strength for Senator Marion L. Phillips in her sorrow at the passing of her husband, Dr. Fred K. Phillips, and we pray that the blessings of faith will abide with her.

Father of us all, safeguard in this hall of government the hopes of the people. Protect, we pray, the people's right to legislative and executive action that will be reflective of the needs and concerns of the citizens. May it be that all other considerations that have to do with the policy of political parties, the relations of the legislative and executive branches of government, the relationships of personalities within the Legislature be made subordinate to the question of "How may we serve best the present and future interests of the greatest number of people?"

If truth be our concern, O Lord, and understanding and patient conciliation the implements of our concern, we are confident that we shall serve Thy children well. Amen.

Pledge of Allegiance to the Flag

Mr. Phelps of Andover led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The following groups of students were introduced by the Chair as guests of the House today:

A group from Grantham Grammar School students and a group of students from Andover High School, courtesy of Mrs. Weber of Croydon and Mr. Phelps of Andover.

Leave of Absence

Mr. Broek of Hooksett was granted leave of absence for the day on account of important business.

First and Second Reading of House Bills

HB 432, legalizing the annual town meeting held in the town of Exeter, March 14, 1961 (Committee on Rules — Eastman of Exeter, Collishaw of Exeter, Purington of Exeter, and Tufts of Exeter) to Municipal and County Government.

HB 433, legalizing the proceedings of the annual school district meeting held in the town of Northwood (Committee on Rules — Pinkham of Northwood) to Municipal and County Government.

HB 434, relative to selection of public utilities commissioners (Hancock of Concord) to Judiciary.

HB 435, relative to observation of Veterans Day (Vachon of Manchester) to Judiciary.

HB 436, authorizing cities and towns to construct moving sidewalks (Committee on Rules — Maxham of Concord) to Judiciary.

HB 437, relative to New Hampshire Forest Highway 8 (Hill of Littleton, Chandler of Bartlett) to Public Works.

On motion of Mr. Deans of Milford printing of HB 433 was dispensed with.

Committee Reports

Mr. Bigelow of Warner for the Committee on Banks, HB 204, relating to banks and building and loan associations. Ought to pass with amendment.

Amend said bill by inserting after section 6 the following new section:

7 Insured Funds. Amend RSA 393:27 by adding at the end thereof the following new paragraph:

VI. In deposits of its funds in a commercial or savings account with any national bank, mutual savings bank, guaranty savings bank, state bank or trust company, provided the institution where such funds are deposited is insured with the Federal Savings and Loan Insurance Corporation or the Federal Deposit Insurance Corporation, and provided also that such institution is located in one of the New England states. Such deposit shall not exceed one-half of the capital funds (as defined in paragraph IV of RSA 387:1) of the depository institution.

8 Municipal Funds. Amend RSA 35:9 by inserting after the word "company" in the fourth and fifth lines the words, cooperative bank, building and loan association, or federal savings and loan association, so that said section as amended shall read as follows:

35:9 Investment. The moneys in each such fund shall be kept in a separate account and not intermingled with other funds of said municipality. Said capital reserve fund shall be

invested only by deposit in some savings bank or in the savings department of a national bank or trust company, cooperative bank, building and loan association, or federal savings and loan association, in this state, or in bonds, notes or other obligations of the United States government, or in bonds or notes of this state and when so invested the trustees hereinafter named shall not be liable for the loss thereof. Any interest earned or capital gains realized on the moneys so invested shall accrue to and become a part of the fund. Deposits in banks shall be made in the name of the town, district or county which holds the same as a reserve, and it shall appear upon the books thereof that the same is a capital reserve fund.

Further amend said bill by renumbering section 7 and 8 to read 9 and 10.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Perrault of Berlin for the Committee on Insurance, HB 322, relative to the payment of claims by insurance companies. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Galloway of Walpole for the Committee on Public Works, SB 39, relative to superstructures over highways in cities and towns. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Chandler of Bartlett for the Committee on Ways and Means, SB 100, relative to notice of cutting and report of cut under the so-called timber tax law. Ought to pass with amendment.

Amend the bill by striking out section 3.

Further amend said bill by renumbering sections 4 and 5 to read 3 and 4.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Karkavelas of Dover for the special Committee consisting of the members of the city of Dover, HB 149, relative

to the salary of the justice of the Dover municipal court. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the salaries of the justice and special justice of the Dover municipal court.

Amend said bill by inserting after section 1 the following new section:

2 Increase in Salary. Amend RSA 502:8 (supp) as amended by 1955, 253:1; 1957, 125:2; 175:2; 204:1; and 209:2 by striking out the words "of Dover two hundred dollars" and inserting in place thereof the words, of Dover six hundred dollars, so that said section as amended shall read as follows: 502:8 Compensation of Special Justices. The special justice and justice of the peace requested to sit owing to the disqualifications of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall serve in said capacity, provided that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester two thousand dollars, of Nashua two thousand five hundred dollars, of Dover six hundred dollars, of Concord one thousand two hundred dollars, of Portsmouth four hundred dollars, of Laconia five hundred dollars, of Somersworth two hundred dollars and of Hampton three hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices; provided, further, that the special justice of the municipal court of Berlin shall be paid from the treasury of the city six hundred dollars per annum.

Further amend said bill by renumbering section 2 to read section 3.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 64, relative to procedure for establishment of Commercial Code records in the office of the Secretary of State.

HB 308, relative to released time for music instruction.

HB 355, providing for the classification of certain surface waters of the Otter Brook watershed.

SB 82, relating to attachment liens.

Reports (cont.)

Mr. Clement of Rochester for the Committee on Appropriations, HB 373, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1962. Ought to pass with amendment.

Amend the bill in paragraph for the legislative branch by changing the figures "for the office of legislative budget assistant to the appropriations and finance committees" as follows: 42,500.00 changed to 52,500.00; and by changing the figures for "other personal services" for said office as follows: 26,750.00 changed to 36,750.00.

Amend the bill in paragraph For administration and control: Division of buildings and grounds: by changing the figures for "Less estimated revenue" as follows: 47,801.00 changed to 48,701.00; and by changing the figures for "Net appropriation" as follows: 178,339.19 changed to 177,439.19. Further amend said bill in the paragraph for administration and control; Division of purchase and property: by changing the figures for "Less revenue" as follows: 1,500.00 changed to 600.00; and by changing the figures for "Net appropriation" as follows: 61,938.21 changed to 62,838.21.

Amend the bill in paragraph For agriculture: Office of commissioner: Other personal services: Permanent, by changing the figures as follows: 29,870.29 changed to 33,109.37; and by changing the figures for total personal services as follows: 40,122.35 changed to 43,361.43. Further amend said paragraph

by striking out the subsection "Economics poison law": and inserting in place thereof the following:

Economics poison law	1,500.00	
Less estimated revenue	1,500.00	
Net appropriation		0.00

Further amend said paragraph For agriculture by changing the figures for "Total for department of agriculture" as follows: 335,572.92 changed to 338,812.00.

Amend the bill in the paragraph For attorney general: Office of attorney general: by striking out the line and figures "Salaries of 4 asst. attorneys general 35,875.20 and inserting in place thereof the following: Salaries of 5 asst. attorneys general 44,143.20+ by changing the figures for "Other personal services: Permanent" as follows: 33,529.33 changed to 38,959.43; by changing the figures for "Other personal services: Other" as follows: 6,630.10 changed to 1,200.00; by changing the figures for total personal services as follows: 99,182.63 changed to 107,450.63. Further amend said subsection by changing the figures for "Current expenses" as follows: 5,200.00 changed to 5,700.00; by changing the figures for "Total" of said subsection as follows: 117,796.63 changed to 126,564.63; and by changing the figures for "Net appropriation" for said subsection as follows: 86,531.63 changed to 95,299.63. Further amend said paragraph For attorney general by changing the figures for "Total for attorney general" as follows: 97,656.49 changed to 106,424.49. Insert at the end of said paragraph "For attorney general" the following: + In this appropriation the sum of 8,268.00 is to be used for the appointment of a full time assistant attorney general in order to carry out the provisions of RSA 588 under the direction and supervision of the attorney general and for the performance of such other additional legal duties as may be assigned by the attorney general.

Amend the bill in the paragraph For department of health: Vital statistics: state by striking out the word "total" of said subsection and inserting in place thereof the following: Total+. Further amend said paragraph by inserting after said subsection the following: + Any revenue received in addition to this appropriation shall be available for expenditure for said purposes. Further amend said bill in the paragraph For department of health: Public health nursing: State: Personal services: Permanent, by changing the figures as follows: 64,883.85

changed to 66,823.91; and by changing the figures for "Total" of said subsection as follows: 69,483.85 changed to 71,423.91. Further amend said bill in the paragraph For department of health: Communicable disease control: State: Current expenses, by changing the figures as follows: 38,910.00 changed to 33,910.00; and by changing the figures for "Total" of said subsection as follows: 88,683.81 changed to 83,683.81. Further amend said bill in the paragraph For department of health by changing the figures for "Net appropriation" as follows: 775,212.88 changed to 772,152.94.

Amend the bill in the paragraph For cancer commission: Federal funds: Personal services: Others, by striking out the word "Other" and by striking out the figures 300.00 and inserting in place thereof the following: Permanent 2,747.16. Further amend said subsection by changing the figures for "Other cancer control activities" as follows: 9,700.00 changed to 7,252.84.

Amend the bill in the paragraph For insurance department: Office of commissioner: Current expenses, by changing the figures as follows: 6,000.00 changed to 7,300.00; and by changing the figures for "Total" of said subsection as follows: 65,320.78 changed to 66,620.78. Further amend said bill in the paragraph For insurance department by changing the figures for "Total for insurance department" as follows: 78,512.59 changed to 79,812.59.

Amend the bill in the paragraph For personnel department: State funds: Other personal services: Permanent, by changing the figures as follows: 44,353.42 changed to 40,333.30; by changing the figures for total for personal services as follows: 64,365.20 changed to 60,345.08; and by changing the figures for "Total" of said subsection as follows: 68,114.31 changed to 64,094.19. Further amend said bill in the paragraph For personnel department by changing the figures for "Total for personnel department" as follows: 68,114.31 changed to 64,094.19.

Amend the bill in the paragraph For public welfare: Administration: Current expenses, by changing the figures as follows: 36,945.00 changed to 41,407.00; and by changing the figures for "Total" of said subsection as follows: 300,070.51 changed to 304,532.51. Further amend said bill in the paragraph For public welfare: Field services: Current expenses, by changing the figures as follows: 42,565.00 changed to 45,896.00;

and by changing the figures for "Total" of said subsection as follows: 481,025.78 changed to 484,356.78. Further amend said bill in the paragraph for public welfare by changing the figures for "Total for Public welfare" as follows: 3,021,916.86 changed to 3,029,709.86; by changing the figures for "Less transfer re administration from federal grants" as follows: 295,000.00 changed to 298,896.00; and by changing the figures for "Net appropriation" as follows: 2,125,426.11 changed to 2,129,323.11.

Amend the appropriation for recreational division (Forestry and recreation): as provided in section 1 of said bill as follows:

Amend the paragraph for Service parks by striking out said paragraph and inserting in place thereof the following:
Service parks:

Personal services:

Permanent	\$61,629.87	
Other	204,741.00	266,370.87
Current expenses		73,000.00
Travel		2,200.00
Equipment		25,000.00
Other expenditures:		
Injured employees		3,000.00
Total		369,570.87

Amend the paragraph for Self Supporting parks: by striking out the same and inserting in place thereof the following:
Self supporting parks:

Personal services:

Permanent	249,112.37	
Other	175,000.00	424,112.37
Current expenses*		189,000.00
Travel		2,000.00
Equipment		27,000.00
Other expenditures:		
Injured employees		4,000.00
Total		646,112.37

* In this appropriation \$45,665.00 shall be for advertising and no expenditure shall be made for this purpose without prior approval of the governor and council.

Further amend the total for recreation by striking out the figures "\$1,324,758.69" and inserting in place thereof the figure, \$1,393,499.69,

Amend the item for revenue and balance by striking out the figures "1,324,758.69" and inserting in place thereof the figure, \$1,393,499.69

Amend the bill in the paragraph For secretary of state: Office of secretary: Other personal services: Permanent, by changing the figures as follows: 31,684.70 changed to 34,431.86; and by changing the figures for "Total" of said subsection as follows: 55,738.48 changed to 58,485.64. Further amend said bill in the paragraph For secretary of state: Commercial code division: Personal services: Permanent, by changing the figures as follows: 2,637.18 changed to 2,747.16; and by changing the figures for "Total" of said subsection as follows: 9,357.18 changed to 9,467.16. Further amend said bill in the paragraph For secretary of state: by changing the figures for "Total for secretary of state" as follows: 100,735.48 changed to 103,592.62.

Amend the bill in the paragraph For Laconia state school: Custodial care: Personal services: Permanent, by changing the figures as follows: 158,125.84 changed to 160,650.96; by changing the figures for total personal services as follows: 162,125.84 changed to 164,650.96. Further amend said subsection by changing the figures for "Current expenses" as follows: 266,547.00 changed to 256,547.00; and by changing the figures for "Total" of said subsection as follows: 430,307.84 changed to 422,832.96. Further amend said paragraph For Laconia state school: by changing the figures for "Total for Laconia state school" as follows: 1,532,347.23 changed to 1,524,872.35; and by changing the figures for "Net appropriation" as follows: 1,517,347.23 changed to 1,509,872.35.

Amend the bill in the paragraph For University of New Hampshire by striking out the same and inserting in place thereof the following:

For University of New Hampshire:

University of New Hampshire

fund	3,927,234.11
Extension work in counties	92,400.00
Total	4,019,634.11

Amend the bill in the paragraph For board of education: Administration: Personal services: Permanent, by changing the figures as follows: 118,277.95 changed to 117,637.60; by chang-

ing the figures for total personal services as follows: 144,333.29 changed to 143,692.94; and by changing the figures for "Total" of said subsection as follows: 175,393.29 changed to 174,752.94. Further amend said paragraph For board of education: Education of deaf: Current expenses by changing the figures as follows: 177,450.00 changed to 200,000.00; and by changing figures for "Total" of said subsection as follows: 177,850.00 changed to 200,400.00. Further amend said paragraph For board of education: School lunch program: State: Personal services: Permanent by changing the figures as follows: 9,597.20 changed to 14,707.72; and by changing the figures for "Total" of said subsection as follows: 11,107.20 changed to 16,307.72. Further amend said paragraph For board of education by changing the figures for "Total for board of education" as follows: 4,708,238.88 changed to 4,735,349.05; and changing the figures for "Net appropriation" as follows: 4,046,970.68 changed to 4,074,080.85.

Amend the bill by striking out the words "For board of fire control" and inserting in place thereof the following:

For board of fire control* :

Further amend said bill by adding after the total appropriation for board of fire control the following footnote:

* Monthly progress reports shall be made by the board to the legislative budget assistant in such form as he may require.

Amend the bill in the paragraph For board of probation: Other personal services: Permanent, by changing the figures as follows: 170,985.67 changed to 170,875.43; and by changing the figures for total personal services as follows: 182,006.05 changed to 181,895.81. Further amend said paragraph by changing the figures for "Total for probation" as follows: 214,028.05 changed to 213,917.81; and by changing the figures for "Net appropriation: as follows: 208,421.41 changed to 208,311.17.

Amend the bill in the paragraph For bank commissioner by striking out the word and figure "Section 2" in the first line of the footnote and inserting in place thereof the following: Section 3.

Amend the bill in the paragraph For planning and development commission by changing the figures for "Economic

growth survey" as follows: 6,250.00 changed to 3,500.00; by changing the figures for "Promotion, planning and advertising" as follows: 125,000.00 changed to 75,000.00; and by changing the figures for "Total" as follows: 553,616.89 changed to 500,866.89. Further amend said paragraph by changing the figures for "Total for planning and development commission" as follows: 570,364.05 changed to 517,614.05.

Amend the footnote to salary of executive director for planning and development commission by adding at the end thereof the following words, from among those nominated by the commission, so that said footnote as amended shall read as follows:

* No amount shall be paid to an executive director of the planning and development commission during the biennium ending June 30, 1963, unless said executive director has been appointed to such position by the governor with the approval of the council from among those nominated by the commission.

Amend the paragraph for public works and highways as follows:

Fir bridge maintenance—strike out the line "Permanent \$189,438.27" and insert in place thereof the line Permanent and other \$189,438.27.

For construction and reconstruction: strike out the following:

"Less funds to be obtained from issuance of bonds	5,000,000.00
Amount provided by federal funds and current revenue	\$17,437,519.00"

Strike out the total for construction and reconstruction and insert in place thereof the total 25,622,519.00

Strike out the total for public works and highways "41,-233,436.32" and insert in place thereof the figure \$46,233,436.32. Under the item "Less estimated revenue and balance" insert after "other revenue" the following:

Funds from the issuance of bonds	5,000,000.00
----------------------------------	--------------

Strike out the total "\$41,233,436.32" and insert in place thereof the total \$46,233,436.32

Strike out all paragraphs for the eastern New Hampshire turnpike and insert in place thereof the following:

For eastern New Hampshire turnpike:

Operation:

Personal services:

Permanent \$124,420.58

Other 60,394.56 \$184,815.14

Current expense 155,723.00

Travel 8,000.00

Equipment 1,940.00

Total operation: \$350,478.14

Maintenance:

Personal services:

Permanent \$96,630.82

Other 11,065.60 \$107,696.42

Current expense 135,133.64

Travel 1,750.00

Equipment 17,300.00

Total maintenance: 261,880.06

Total for Eastern turnpike 612,358.20

Less estimated revenue: * 612,358.20

Net appropriation 0.00

* Upon request of the commissioner, any revenue actually in excess of this amount shall be available for such further expenditure as the governor and council shall approve.

Amend the paragraph relative to central New Hampshire turnpike by striking out the lines relative to debt service.

Further amend said paragraph by striking out the following:

“Total for central New Hampshire turnpike \$1,369,359.92

Less estimated revenue* 1,369,359.92

Net appropriation 0.00

”

and insert in place thereof the following:

Total for central New Hampshire turnpike \$583,134.92

Less estimated revenue* 583,134.92

0.00

Amend the paragraph relative to Neil R. Underwood bridge as follows:

Strike out the paragraph as follows:

“Debt service:

Bond maturing	\$45,000.00	
Interest on bonds	5,255.00	\$ 50,355.00”

Strike out the lines

“Total for Neil R. Underwood bridge	\$107,587.87
Less estimated revenue ^o	107,587.87”

and insert in place thereof the following:

Total for Neil R. Underwood bridge	\$57,232.87
Less estimated revenue ^o	\$57,232.87

Amend Section 1 of the bill by changing the figures at the end of the section for “Total net appropriation for the fiscal year ending June 30, 1962” as follows: 24,946,660.85 changed to 24,915,189.97.

Amend said bill by inserting after section 1 the following new section:

2 Appropriations Committee Authority Continued. The committee on appropriations of the House of Representatives at the 1961 session shall continue to function with full powers and duties until the last Wednesday of December 1962. Said committee and any subcommittee appointed by it shall meet at the call of the chairman thereof at such times and places as he shall designate.

Further amend said bill by renumbering sections 2, 3, 4, 5, 6, 7 and 8 to read 3, 4, 5, 6, 7 and 9.

Mr. Clement of Rochester explained the amendments.

On a *viva voce* vote the amendments were adopted.

Mr. Daniell of Franklin for the undersigned, a minority of the Committee on Finance, HB 373, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1962, ought to pass with amendment.

Amend the paragraph relative to appropriation for public works and highways by inserting after the words and figures "Total for public works and highways \$46,233,436.32" the following:

Note: Distribution of Expenditures. In any one fiscal year, no more than ten per cent of the total cost of the highway construction for that year toward which the state and federal governments shall have, together, contributed ninety per cent or more shall be expended in any city of the state, and no more than twenty-five per cent of the cost of such construction, in any one county, including such as may have been expended in any of the cities of such county. Where, in the previous bien-nium, this rate of expenditure has been exceeded in any city or county, future expenditure shall be such as to bring average yearly expenditures within the limits of this note as soon as reasonably possible.

In cases involving special circumstances, such as substantial added expense to the state, or unusual need for a project which should be completed in a limited period of time, the provisions of this note may be set aside by a majority vote of the governor and council.

Eugene S. Daniell, Jr.

Mr. Daniell of Franklin spoke in favor of the amendment.

Messrs. Clement of Rochester, Galloway of Walpole, Kearns of Manchester and Pillsbury of Manchester spoke against the amendment.

(discussion ensued)

The question being on the minority amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Daniell of Franklin requested a division vote and the vote being manifestly in the negative the amendment was not adopted.

Mr. Grimes of Dover requested the Yeas and Nays but subsequently withdrew his request.

Recess

After Recess

Mr. Goode of Manchester offered the following amendment and moved its adoption.

Amend the bill in the paragraph For planning and development commission: Promotion, planning and advertising by changing the figures as follows: 75,000.00 changed to \$125,000.-00. Further amend said paragraph changing the figures for "Total for planning and development commission" as follows: 517,614.05 changed to 567,614.05.

The Clerk read the amendment in full.

Mr. Goode of Manchester spoke in favor of the motion.
(discussion ensued)

Messrs. King of Manchester, Angus of Claremont, Pillsbury of Manchester spoke against the motion.

Messrs. Gilman of Farmington, Nickerson of Goffstown and Hunter of Hampton spoke in favor of the motion.

Mr. Goode of Manchester requested a division.

The vote being manifestly in the negative the amendment was not adopted, and the bill was ordered to a third reading.

Mr. Clement of Rochester for the Committee on Appropriations, HB 374, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1963. Ought to pass with amendment.

Amend the bill in the paragraph for the legislative branch by changing the figures "for the office of legislative budget assistant to the appropriations and finance committees" as follows: 42,500.00 changed to 52,500.00; and by changing the figures for "other personal services" for said office as follows: 26,750.00 changed to 36,750.00.

Amend the bill in the paragraph For administration and control: Division of buildings and grounds: by changing the figures for "Less estimated revenue" as follows: 47,801.00 changed to 48,701.00; and by changing the figures for "Net appropriation" as follows: 179,757.69 changed to 178,857.69. Further amend said bill in the paragraph For administration and control: Division of purchase and property: by changing the

figures for "Less revenue" as follows: 1,500.00 changed to 600.-00; and by changing the figures for "Net appropriation" as follows: 62,381.15 changed to 63,281.15.

Amend the bill in the paragraph For agriculture: Office of commissioner: Other personal services: Permanent, by changing the figures as follows: 30,114.94 changed to 33,395.60: and by changing the figures for total personal services as follows: 40,403.96 changed to 43,684.62. Further amend said paragraph by striking out the subsection "Economics poison law:" and inserting in place thereof the following: Economics poison law, 1,500.00; Less estimated revenue, 1,500.00. Net appropriation 0.00. Further amend said paragraph For agriculture by changing the figures for "Total for department of agriculture" as follows: 323,153.67 changed to 326,434.33.

Amend the bill in the paragraph For attorney general: Office of attorney general: by striking out the line and figures "Salaries of 4 asst. attorneys general 36,622.28 and inserting in place thereof the following: Salaries of 5 asst. attorneys general 45,140.28+ by changing the figures for "Other personal services: Permanent" as follows: 33,899.78 changed to 39,580.00; by changing the figures for "Other personal services: Other" as follows: 6,880.22 changed to 1,200.00; by changing the figures for total personal services as follows: 100,580.31 changed to 109,098.31. Further amend said subsection by changing the figures for "Current expenses" as follows: 5,430.00 changed to 5,930.00; by changing the figures for "Total" of said subsection as follows: 118,735.31 changed to 127,753.31; and by changing the figures for "Net appropriation" for said subsection as follows: 87,220.31 changed to 96,238.31. Further amend said paragraph For attorney general by changing the figures for "Total for attorney general" as follows: 97,928.67 changed to 106,946.-67. Insert at the end of said paragraph "For attorney general" the following: +In this appropriation the sum of 8,518.00 is to be used for the appointment of a full time assistant attorney general in order to carry out the provisions of RSA 588 under the direction and supervision of the attorney general and for the performance of such other additional legal duties as may be assigned by the attorney general.

Amend the bill in the paragraph For department of health: Vital statistics: State: by striking out the word "Total" of said subsection and inserting in place thereof the following: Total+.

Further amend said paragraph by inserting after said subsection the following: + any revenue received in addition to this appropriation shall be available for expenditure for said purpose. Further amend said bill in the paragraph For department of health: Public health nursing: State: Personal services: Permanent, by changing the figures as follows: 65,365.49 changed to 67,385.73; and by changing the figures for "Total" of said subsection as follows: 69,765.49 changed to 71,785.73. Further amend said bill in the paragraph For department of health: Communicable disease control: State: Current expenses, by changing the figures as follows: 38,910.00 changed to 33,910.00; and by changing the figures for "Total" of said subsection as follows: 87,969.28 changed to 82,969.28. Further amend said bill in the paragraph For department of health by changing the figures for "Net appropriation" as follows: 761,531.65 changed to 758,551.89.

Amend the bill in the paragraph For cancer commission: Federal funds: Personal services: Other, by striking out the word "Other" and by striking out the figures 300.00 and inserting in place thereof the following: Permanent 2,870.14. Further amend said subsection by changing the figures for "Other cancer control activities" as follows: 9,700.00 changed to 7,129.86.

Amend the bill in the paragraph For personal department: State funds: Other personal services: Permanent, by changing the figures as follows: 45,236.35 changed to 40,996.27; by changing the figures for total for personal services as follows: 65,248.13 changed to 61,008.05; and by changing the figures for "Total" of said subsection as follows: 68,000.05 changed to 63,759.97. Further amend said bill in the paragraph For personnel department by changing the figures for "Total for personnel department" as follows: 68,000.05 changed to 63,759.97.

Amend the bill in the paragraph For public welfare: Administration: Current expense, by changing the figures as follows: 36,945.00 changed to 41,407.00; and by changing the figures for "Total" of said subsection as follows: 300,254.79 changed to 304,716.79. Further amend said bill in the paragraph For public welfare: Field services: Current expenses, by changing the figures as follows: 42,565.00 changed to 45,896.00; and by changing the figures for "Total" of said subsection as follows: 485,093.62 changed to 488,424.62. Further amend said bill in

the paragraph For public welfare: by changing the figures for "Total for public welfare" as follows: 3,149,115.20 changed to 3,156,908.20; by changing the figures for "Less transfer re administration from federal grants" as follows: 295,000.00 changed to 298,896.00; and by changing the figures for "Net appropriation" as follows: 2,841,029.00 changed to 2,844,926.00.

Amend the appropriation for recreational division (forestry and recreation) as provided in section 1 of said bill as follows:

Amend the paragraph for Service parks by striking out said paragraph and inserting in place thereof the following:
Service parks:

Personal services:

Permanent	\$65,811.55	
Other	218,741.00	\$284,552.55
Current expenses		76,100.00
Travel		2,200.00
Equipment		20,000.00
Other expenditures:		
Injured employees	3,000.00	385,852.55

Amend the paragraph for Self Supporting parks: by striking out the same and inserting in place thereof the following:

Self supporting parks: Personal services:

Personal services:

Permanent	\$251,206.30	
Other	176,000.00	\$427,206.30
Current expenses*		194,000.00
Travel		2,000.00
Equipment		23,000.00
Other expenditures:		
Injured employees	4,000.00	
Total		\$650,206.30

* In this appropriation \$46,225.00 shall be for advertising and no expenditure shall be made for this purpose without prior approval of the governor and council.

Further amend the total for recreation by striking out the figure "\$1,338,270.44" and inserting in place thereof the figures, \$1,411,011.44.

Amend the item for revenue and balance by striking out the figures "\$1,338,270.44" and inserting in place thereof the figures, \$1,411,011.44.

Amend the bill in the paragraph For secretary of state: Office of secretary: Other personal services: Permanent, by changing the figures as follows: 31,667.98 changed to 34,538.12; and by changing the figures for total personal services as follows: 49,509.55 changed to 52,379.69; and by changing the figures for "Total" of said subsection as follows: 55,889.55 changed to 58,759.69. Further amend said bill in the paragraph For secretary of state: Commercial code division: Personal services: Permanent, by changing the figures as follows: 2,760.16 changed to 2,870.14; and by changing the figure for "Total" of said subsection as follows: 4,860.16 changed to 4,970.14. Further amend said bill in the paragraph For secretary of state: by changing the figures for "Total for secretary of state" as follows: 119,110.73 changed to 122,090.85.

Amend the bill in the paragraph For Laconia state school: Custodial care: Personal services: Permanent, by changing the figures as follows: 162,766.50 changed to 165,416.68; and by changing the figures for total personal services as follows: 166,766.50 changed to 169,416.68. Further amend said subsection by changing the figures for "Current expenses" as follows: 272,380.00 changed to 262,380.00; and by changing the figures for "Total" of said subsection as follows: 440,296.50 changed to 432,946.68. Further amend said paragraph For Laconia state school by changing the figures for "Total for Laconia state school" as follows: 1,561,755.24 changed to 1,554,405.42; and by changing the figures for "Net appropriation" as follows: 1,546,755.24 changed to 1,539,405.42.

Amend the bill in the paragraph For University of New Hampshire by striking out the same and inserting in place thereof the following:

For University of New Hampshire:

University of New Hampshire

fund

3,927,234.11

Extension work in coun-

ties

92,400.00

Total

4,019,634.11

Amend the bill in the paragraph For board of education: Administration: Personal services: Permanent by changing the figures as follows: 119,715.04 changed to 119,016.94; by changing the figures for total personal services as follows: 146,067.38 changed to 145,369.28; and by changing the figures for "Total" of said subsection as follows: 177,067.38 changed to 176,369.28. Further amend said paragraph For board of education: Education of deaf: Current expenses by changing the figures as follows: 192,450.00 changed to 210,000.00; and by changing figures for "Total" of said subsection as follows: 192,850.00 changed to 210,400.00. Further amend said paragraph For board of education: School lunch program: State: Personal services: Permanent by changing the figures as follows: 9,660.21 changed to 14,860.73; and by changing figures for "Total" of said subsection as follows: 11,260.21 changed to 16,460.73. Further amend said paragraph For board of education by changing the figures for "Total for board of education" as follows: 5,031,994.33 changed to 5,054,046.75; and changing the figures for "Net appropriation" as follows: 4,367,401.13 changed to 4,389,453.55.

Amend the bill by striking out the words "For board of fire control" and inserting in place thereof the following:

For board of fire control*:

Further amend said bill by adding after the total appropriation for board of fire control the following footnote:

*Monthly progress reports shall be made by the board to the legislative budget assistant in such form as he may require.

Further amend the bill in the paragraph For board of fire control: by changing the figures for "Travel" as follows: 4,625.00 changed to 5,750.00; by changing the figures for "Equipment" as follows: 1,630.00 changed to 4,730.00; and by changing the figures for "Total" as follows: 38,445.10 to 42,670.10.

Amend the bill in the paragraph For board of probation: Other personal services: Permanent, by changing the figures as follows: 173,636.27 changed to 173,496.05; and by changing the figures for total personal services as follows: 184,691.30 changed to 184,551.08. Further amend said paragraph by changing the figures for "Total for probation" as follows: 216,291.30 changed to 216,151.08; and by changing the figures for "Net appropriation" as follows: 210,684.66 changed to 210,544.44.

Amend the bill in the paragraph For bank commissioner by striking out the word and figure "Section 2" in the second line of the footnote and inserting in place thereof the following: Section 3.

Amend the bill in the paragraph For planning and development commission by changing the figures for "Economic growth survey" as follows: 6,250.00 changed to 3,500.00 by changing the figures for "Promotion, planning and advertising" as follows: 125,000.00 changed to 75,000.00; and by changing the figures for "Total" as follows: 556,578.59 changed to 503,828.59. Further amend said paragraph by changing the figures for "Total for planning and development commission" as follows: 573,448.73 changed to 520,698.73.

Amend the footnote to salary of executive director for planning and development commission by adding at the end thereof the following words, from among those nominated by the commission, so that said footnote as amended shall read as follows:

No amount shall be paid to an executive director of the planning and development commission during the biennium ending June 30, 1963, unless said executive director has been appointed to such position by the governor with the approval of the council from among those nominated by the commission.

Amend the paragraph for public works and highways as follows:

For bridge maintenance—strike out the line "Permanent \$191,305.06" and insert in place thereof the following:

Permanent and other \$191,305.06.

For construction and reconstruction strike out the following:

"Less funds to be obtained from issuance of bonds 5,000,000.00. Amount provided by federal funds and current revenue 16,197,519.00". Strike out "Total for construction \$19,347,519.00" and insert in place thereof the following:

Total for construction and reconstruction \$24,347,519.00. Strike out "Total for public works and highways, \$39,865,982.00" and insert in place thereof the following:

Total for public works and highways, \$44,865,982.00. Under the item "Less estimated revenue and balance" insert after "other revenue" the following: Funds from the issuance of bonds, 5,000,000.00. Strike out "Total \$39,865,982.00" and insert in place thereof the following: Total \$44,865,982.00.

Strike out all the paragraphs for the eastern New Hampshire turnpike and insert in place thereof the following:

For eastern New Hampshire turnpike:

Operation:

Personal services:

Permanent	125,306.79	
Other	60,394.56	\$185,701.35
Current expense		155,998.48
Travel		8,000.00
Equipment		1,940.00
Total operation		351,639.83

Maintenance:

Personal services:

Permanent	98,062.10	
Other	11,065.60	\$109,127.70
Current expense		135,113.70
Travel		1,750.00
Equipment		14,500.00
Total maintenance:		260,491.40

Total eastern New Hampshire turnpike	\$612,131.23
Less estimated revenue:*	612,131.23
Net appropriation	0.00

*Upon request of the commissioner, any revenue actually in excess of this amount shall be available for such further expenditure as the governor and council shall approve.

Amend the paragraph relative to central New Hampshire turnpike by striking out the lines relative to debt service.

Further amend said paragraph by striking out the following:

"Total for central New Hampshire turnpike, \$1,479,923.16; Less estimated revenue* 1,479,923.16. Net appropriation 0.00" and insert in place thereof the following: Total for central New Hampshire turnpike \$601,573.16; Less estimated revenue*, 601,573.16. Net appropriation, 0.00.

Amend the paragraph relative to Neil R. Underwood bridge by striking out the lines relative to debt service.

Further amend said paragraph by striking out the following: "Total for Neil R. Underwood bridge, \$107,018.38; Less estimated revenue*, 107,018.38. Net appropriation, 0.00 and insert in place thereof the following:

Total for Neil R. Underwood bridge, \$57,428.38; Less estimated revenue, 57,428.38. Net appropriation, 0.00.

Amend Section 1 of the bill by changing the figures at the end of the section for "Total net appropriation for the fiscal year ending June 30, 1963" as follows: 26,166,525.30 changed to 26,133,291.53.

Amend said bill by inserting after section 1 the following new section:

2 Appropriations Committee Authority Continued. The committee on appropriations of the House of Representatives at the 1961 session shall continue to function with full powers and duties until the last Wednesday of December 1962. Said committee and any subcommittee appointed by it shall meet at the call of the chairman thereof at such times and places as he shall designate.

Further amend said bill by renumbering sections 2, 3, 4, 5, 6, 7 and 8 to read 3, 4, 5, 6, 7 and 9.

On a *viva voce* vote the amendments were adopted and the bill was ordered to a third reading.

Personal Privilege

Messrs. Pillsbury of Manchester, King of Manchester, Gilman of Farmington and Geisel of Manchester rose on a point of personal privilege.

Taken from the Table

HB 331, relative to administration of small estates.

The question being on the motion of Mr. Totman of Alstead that the House concur in the Senate amendment.

Mr. Healy of Manchester, Ward 6, spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Senate Messages

The Senate message announced that the Senate refuses to concur with the House of Representatives in its amendment to the following entitled bill, sent up from the House of Representatives, and requests a Committee of Conference:

SB 3, relative to protection at railroad crossings and the President has appointed on the part of the Senate: Senator Battles and Senator Lamontagne.

On motion of Mr. Claflin of Wolfeboro the House acceded to the request of the Senate and the Chair appointed Messrs. Claflin of Wolfeboro, Blake of Madison and McGee of Lincoln as conferees on the part of the House.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 113, relative to foster day care homes.

SB 107, relative to salaries of legislative attachés.

Senate Bills Read and Referred

SB 113, to Public Welfare and State Institutions.

SB 107, to Appropriations.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 196, relative to total population figure at Laconia State School.

HB 164, relative to acquisition of land for propagation of game.

HB 208, relating to revocation of hunting and fishing licenses.

HB 308, relative to released time for music instruction.

A further Senate message announced that the Senate has voted to accede to the request for a Committee of Conference

of the House of Representatives relative to the following entitled bill sent up from the House of Representatives:

HB 226, providing for a closed season on black bear and the President has appointed as conferees on the part of the Senate: Senator Drake and Senator Monahan.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on HB 273, relating to trust companies and the President has appointed on the part of the Senate, Senator Dunlap and Senator Bergeron.

Resolutions

Mr. Desnoyer of Claremont for the Claremont Delegation offered the following resolutions:

Whereas, Dr. Fred Phillips, husband of Marion Phillips, Senator from District No. 8 and former Representative from Claremont, has passed away, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, express our deep sympathy to our former member in her bereavement, and be it further

Resolved, That the Clerk of the House transmit to her a copy of these Resolution.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Third Readings

The following House Bills were read a third time, passed, and sent to the Senate for concurrence:

HB 373, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1962.

Reconsideration

Mr. Clement of Rochester moved that the House reconsider its vote whereby it passed HB 373 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Third Readings (cont.)

HB 374, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1963.

Reconsideration

Mr. Clement of Rochester moved that the House reconsider its vote whereby it passed HB 374 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Third Readings (cont.)

HB 204, relating to banks and building and loan associations.

HB 149, relative to the salary of the justice of the Dover municipal court.

HB 331, relative to administration of small estates.

SB 100, relative to notice of cutting and report of cut under the so-called timber tax law, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

SB 39, relative to superstructures over highways in cities and towns, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The Chair announced that today is the birthday of Mr. Johnson of Rochester.

Personal Privilege

Messrs. Clement of Rochester, Rowell of Newport and Geisel of Manchester rose on a point of personal privilege.

On motion of Mrs. White of Portsmouth, Ward 4, the House adjourned at 3:15 o'clock.

TUESDAY, APRIL 25, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, George Pennington:

Eternal Spirit, we pause to give thanks for the privilege of having shared the fellowship of Representative Herbert A. Willard of Temple in this General Court, and on his death we remember a life of widespread and unselfish public service.

O God, may we be aware. Open our eyes to the truly heroic and sacrificial deeds that are hidden beneath the privacy of individual lives. Cause us to be sensitive to the good that men do, to the hopes and the yearnings for fulfillment which men bear within their breasts, to the love which they seek to share with one another.

Let not the demands placed upon us from without, nor the pressures which arise within us, turn us to negativism or cynicism. Preserve, instead, within each of us that faith in mankind and in ourselves, which brings us to relate to our fellows as children of God. Amen.

Pledge of Allegiance to the Flag

Mr. Wylie of Freemont led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following groups as guests of the House today:

Girl Scouts, Troop No. 15 from Laconia in charge of Mrs. Leslie Weeks, courtesy of the Laconia Delegation.

A group of 8th grade students from the Thornton schools, courtesy of Mr. Bradley of Thornton.

A group of High School Students from St. Joseph's civics class, courtesy of Messrs. Geisel, Ecker and King of Manchester.

A group of 4th grade students from Ellis School in Fremont, courtesy of Mr. Wiley of Fremont.

Members of the Sullivan County Republican Youth Group, courtesy of Mrs. DeLude of Unity.

A group of students from Rundlett Junior High School, Concord, courtesy of the Concord Delegation.

Leaves of Absence

Mr. Gove of Concord was granted leave of absence for the week on account of important business.

Mr. Allen of Concord was granted leave of absence for today and Wednesday on account of important business.

Mr. Pinkham of Northwood was granted leave of absence for today on account of important business.

First and Second Reading of House Bills

HB 438, legalizing the proceedings of the annual school district meeting held in the town of Antrim on March 13, 1961 (Committee on Rules — Aucella of Bennington) to Municipal and County Government.

On motion of Mr. Deans of Milford printing of HB 438 was dispensed with.

HB 439, relating to the conduct of sweepstake races and the sale of tickets thereon (Pickett of Keene, Belanger of Manchester) to Ways and Means.

HB 440, relative to bob houses (Hanson of Bow) to Fish and Game.

HJR 33, in favor of the estate of Herbert Andrew Willard (Committee on Rules — Taft of Greenville) to Finance.

On motion of Mr. Deans of Milford printing of HJR 33 was dispensed with.

Committee Reports

Mr. Hill of Conway for the Committee on Ways & Means, SB 76, relative to taxation of corporation property. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Larty of Haverhill for the Committee on Ways and Means, SB 83, relative to tax assessments in unincorporated places. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Kearns of Manchester for the Committee on Ways and Means, SB 52, relative to the licensing of dogs. Inexpedient to legislate.

Mr. Chandler of Bartlett moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Hutchinson of Chichester requested a division vote.

148 members having voted in the affirmative and 152 members having voted in the negative the motion to substitute was lost.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Audet of Concord for the Committee on Liquor Laws, SB 45, providing special licenses for lounges at municipal airports. Ought to pass with amendment.

Amend section 1 of the bill by inserting in the fourth line after the word "Authority" where it occurs the second time the words, the Laconia Airport Authority; further amend by inserting after the word "commission" in the seventh line the words, only to patrons and bona fide guests and only during the hours set by the commission for such service in private clubs and, so that said section as amended shall read as follows:

1 License to Sell Liquor. Amend RSA 178 by inserting after section 5 the following new section: 178:5-a Airport

Lounges. The commission may issue a special license to the Manchester Airport Authority, the Lebanon Regional Airport Authority, the Berlin Airport Authority, the Laconia Airport Authority, and/or the City of Keene for the Dillant-Hopkins Municipal Airport or their designees. Said special license shall permit the licensee to serve liquor and beverages in such rooms as may be designated by the commission only to patrons and bona fide guests and only during the hours set by the commission for such service in private clubs, and only if in said rooms there shall also be served food and coffee. The commission may grant, regulate, suspend, or revoke said special license or licenses without affecting any other license and permit which may be granted by said commission in said airport or airports. The fee for any such special license shall be one hundred dollars a year.

The Clerk read the amendment in full.

The undersigned, a minority of the Committee on Liquor Laws, SB 45 providing special licenses for lounges at municipal airports. Inexpedient to legislate.

Ernest E. Stafford
Peter P. Charland

Mr. Hart of Manchester moved that SB 45 be made a Special Order for Tuesday, May 2nd, at 11:01 o'clock and spoke in favor of the motion.

At the request of Mr. Deans of Milford, Mr. Collishaw of Exeter explained the amendment.

Recess

Mr. Collishaw of Exeter and Mr. Angus of Claremont spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and the bill was made a Special Order for next Tuesday at 11:01 o'clock.

Mr. London of New London for the Committee on Judiciary, Concurrent Resolution prohibiting the government of the United States from levying taxes on personal incomes, estates and/or gifts. Inexpedient to legislate.

Mr. O'York of Dover moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

On a *viva voce* vote the motion was not adopted and Mr. O'York of Dover demanded the Yeas and Nays and the roll was called as follows:

Roll Call

YEAS 37

STRAFFORD COUNTY: Blanchette, Leighton, Grimes, O'York, Colbath, Richardson, Flanagan, Marsan, Potvin, St. Pierre, Maloomian, Habel.

BELKNAP COUNTY: Harkins, Prescott.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Thompson of Northfield.

HILLSBOROUGH COUNTY: Nickerson of Goffstown, Geisel, Clancy, Cote, Healy of Manchester, Ward 8; Daniel of Manchester, Dionne of Nashua, Ward 2; Maynard, Dionne of Nashua, Ward 6; Marcoux.

CHESHIRE COUNTY: Cournoyer, Desmarais.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: Gilbert.

COOS COUNTY: None.

ROCKINGHAM COUNTY: Kimball of Derry, Wylie, Hislop, Sewall, Keefe, Stafford, White of Portsmouth, Ward 4; Ingraham, Carkin.

NAYS 291

STRAFFORD COUNTY: Berry, Wiggin of Dover, Fellows, Bevan, Heald, Littlehale, Drew, Clark of Lee, Adams of Madbury, Reid, Maxfield, Johnson of Rochester, Green of Rollinsford, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Matheson, Robertson, LaCaillade, McCarthy, Stothart, O'Shan, Jones, Allan of Meredith, Smith, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Thompson of Effingham, Blake, Taylor of Ossipee, Nickerson of Tamworth, Kurth, Fox, Chamberlain, Claflin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Hanson, Moore, Asby, Hutchinson, York, Davis of Concord, Henry, Audet, Gibson, Bingham, Seamans, Lovejoy, Peaslee, Sanders, Barnard, Maxham, Newell of Concord, Welch, Jennings of Concord, Brown of Danbury, McKay, Stevens, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Carpenter, Broek, Mulaire, London, Plourde, Thibeault, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin of Bedford, Aucella, Farwell, Bartlett, Hambleton, Jennings of Goffstown, Pickering, Eaton, Brocklebank, Claveau, Gallagher, Provencal, Warren, Ainley, Lang, Pettigrew, Mahony, Hart, Hayes, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Dupont, Ecker, Healy of Manchester, Ward 6; O'Conner, LaFrance, Plante, Tessier, Compagna, Delisle, Cary, Morris, Belanger, Bergeron, Kearns, Hurley, Noel, Roche, Dumas, Lemay, Levasseur, Nalette, Allard, Chapdelaine, Lesmerises, Rousseau, Gamache, Vachon, Deans, Falconer, Hayward of Milford, Buckley, Cole, Cooper, Milliken, Underhill, Rosedoff, Belcourt, Kirkorian, Brosnahan, Sullivan, Boisvert, Chartrain, Mason, Bissonnette, Bouley, LaVallee, Sablusi, Bouthillier, Locke, Karnis, Peabody, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Clark of Harrisville, Stearns, Keating, Terrill, Parker, Bennett, Brown of Keene, Faulkner, Kretowicz, Oliver, Crain, Hackler, Congdon, Ballam, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Cann, Gaffney, Prudhomme, Campbell, Nahill, Barrows, D'Amante, Desnoyer, Guest, Weber, Williamson, Downing, Rowell, Spalding, Merrifield.

GRAFTON COUNTY: Paquette, Stevenson, Plumer, Willey, Chandler of Canaan, Morse, Johnson of Franconia, Gage, Bowler, Hayward of Hanover, Low, LaMotte, Larty, Karsten, Adams of Lebanon, Beard, Coutermarsh, Demers, Porter, Whipple, McGee, Martin, Haskins, Cushman, Kinghorn, Bell, Barney, Avery, Bradley, Anderson, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Vashaw, Bouchard, Fontaine, Gagnon, Ledoux, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Bushey, Potter of Northumberland, Brooks, Stinson.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Gay, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Spollett of Hampstead, Casassa, Hunter, Clark of Kingston, Shepard, Jenkins, Cheney, Carter, McDaniel, Palmer, Bowles, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 5; Cross, Langford, Greene of Rye, Magoon, Peever, Roulston, Felch, Barker, Waterhouse.

37 members having answered in the affirmative and 291 members having answered in the negative the motion to substitute was lost.

On a *viva voce* vote the resolution of the committee was adopted.

Resolutions

Mr. Taft of Greenville offered the following resolutions:

Whereas, Herbert Andrew Willard, Representative from Temple and former Page of the House of Representatives, has passed away, therefore be it

Resolved That we, the Members of the House of Representatives pay tribute to his service to his town and state and express our deep sympathy to his family in its bereavement, and be it further

Resolved That a copy of these Resolutions be transmitted to Representative Willard's mother, Mrs. Charles J. Willard.

On a rising vote of prayer for one minute the resolutions were unanimously adopted.

Mr. Spalding of Plainfield for the Fish and Game committee offered the following resolutions:

Whereas, Harvey H. Converse, Representative from Pittsburg and Chairman of the Fish and Game Committee, is ill in the hospital in Stewartstown, therefore be it

Resolved, that we, the members of the House of Representatives of the New Hampshire General Court, extend to our Fellow Member our sympathy in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Representative Converse.

On a *viva voce* vote the resolutions were unanimously adopted.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 332, relative to liability for violation of law of the road. Ought to pass with amendment under Joint Rule No. 6.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Law of the Road. Amend RSA 250:4 by striking out the word "ten" and inserting in place thereof the word, fifty, and by striking the words "but no such action for such damages shall be sustained unless begun within one year" so that said section as amended shall

The Clerk read the amendment in full.

On motion of Mr. Totman of Alstead the House concurred in the amendment by the Engrossed Bills committee.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

The Chair announced that today is the birthday of Mrs. Richardson of Dover.

Third Readings

The following Senate bills were severally read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 76, relative to taxation of corporation property.

SB 83, relative to tax assessments in unincorporated places.

On motion of Mrs. White of Portsmouth, Ward 5, the House adjourned at 12:34 o'clock.

WEDNESDAY, April 26, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, Reverend George Pennington as follows:

O, Spirit of God, descend upon our hearts. Enter the lives of each of us. Penetrate our thoughts with thy cleansing power. Shape our words with the influence of thy love and truth. Fashion our decisions and our deeds by the desire to serve Thee and Thee alone, for in thy stewardship is reward that makes all expediencies seem mean, and in faithfulness to thy Spirit within our breasts do we act in good faith with ourselves and with one another. Amen.

Pledge of Allegiance to the Flag

Messrs. Guest of Cornish and Peabody of Pelham led the Convention in the Pledge of Allegiance to the Flag.

House

The Speaker introduced as guests of the Chair the family of our Chaplain, Reverend Pennington.

The Chair also introduced the following groups as guests of the House today:

A group of girl scouts, troop 355, from St. Pius X of Manchester, courtesy of Mr. Ecker of Manchester.

A group of High School students from the Court Street Church of Keene, courtesy of Mr. Parker of Keene.

A group of students from the Civics class of the Hollis High School, courtesy of Mr. Brocklebank of Hollis.

A group of boy scouts, troop 25, and cub scouts from Pelham, courtesy of Mr. Peabody of Pelham.

A group of seniors from the Holy Rosary High School of Rochester, courtesy of Mrs. St. Pierre and Mr. Potvin of Rochester.

Miss Diane LaMarche of Manchester, who was Senate President of the Youth Government.

Leaves of Absence

Mr. Gilman of Farmington was granted a leave of absence for the day on account of illness.

Mr. Potter of Milan was granted leave of absence for today and tomorrow on account of illness.

Committee Reports

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 356, pertaining to processed lobster meat. Ought to pass with amendment.

Amend section 1 of the bill by inserting after the word "pies" in the seventh and twenty-third lines the words, or prohibit wholesalers and retailers from selling processed lobster meat packed in stews, newbergs, chowders or pies providing they are licensed as required by RSA 211:38, so that said section as amended shall read as follows:

1 Sale of Processed Lobster Meat. Amend RSA 211:29 (supp) as amended by 1955, 308:9, by adding at the end thereof the following: Nothing in the provisions of this section or section 27 shall prohibit the processing and distributing within the state by packers or processors located within or without the state of processed lobster meat for the purpose of canning or freezing for resale as processed stews, newburgs, chowders or pies, or prohibit wholesalers and retailers from selling processed lobster meat packed in stews, newbergs, chowders or pies providing they are licensed as required by RSA 211:38, so that said section as amended shall read as follows: 211:29 Lobster Meat. No person, firm or corporation shall transport, possess or offer for sale lobster meat from sources outside the jurisdic-

tion of this state unless such meat shall comply with section 27 of this chapter. The inclusion of any such meat of less than the prescribed legal length within any container, package, receptacle or tray shall subject all such meat included in said container, package, receptacle, or tray to be forfeited and the possessor of such meat shall be subject to the penalty imposed for violation of section 27. Provided, however, that the provisions of this section shall not prohibit the sale of lobsters canned in hermetically sealed cans not requiring refrigeration when the contents of the cans do not weigh over eight ounces net. Nothing in the provisions of this section or section 27 shall prohibit the processing and distributing within the state by packers or processors located within or without the state of processed lobster meat for the purpose of canning or freezing for resale as processed stews, newburgs, chowders or pies, or prohibit wholesalers and retailers from selling processed lobster meat packed in stews, newburgs, chowders or pies providing they are licensed as required by RSA 211:38.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 358, to prohibit the pulling of lobster traps, pots and devices at certain hours. Inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 361, to provide for a maximum size for lobsters. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 362, to provide extra facility licenses for the sale of lobster meat. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 365, to provide a uniform fee for lobster licenses. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 370, relative to taking lobsters. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Perrault of Berlin for the Committee on Insurance, HB 379, relative to lapses of industrial life insurance policies. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Reconsideration

Mr. Hutchinson of Chichester served notice that, today or some subsequent day, he would ask the House to reconsider its vote whereby it killed SB 52, relative to the licensing of dogs.

Committee Reports (cont.)

Mrs. Frizzell of Charlestown for the Committee on Judiciary, SB 103, requiring earlier application of voters demanding insertion of an article in the warrant. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. Ainley of Manchester for the Committee on Judiciary, HB 310, relative to the age of children brought before a juvenile court. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. London of New London for the Committee on Judiciary, HB 311, to permit the waiver of hearings before the public utilities commission when all parties are in agreement. Ought to pass with amendment.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Public Utilities Commission. Amend RSA 374:26 by inserting at the end of said section the following: Such permission may be granted without hearing when all interested parties are in agreement, so that said section as amended shall read as follows: 374:26 Permission. The commission shall grant such permission whenever it shall, after due hearing, find that such

engaging in business, construction or exercise of right, privilege or franchise would be for the public good, and not otherwise; and may prescribe such terms and conditions for the exercise of the privilege granted under such permission as it shall consider for the public interest. Such permission may be granted without hearing when all interested parties are in agreement.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. London of New London for the Committee on Judiciary, HB 333, relating to appeals from municipal courts. Ought to pass with amendment.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Municipal Courts. Amend RSA 599 by inserting after section 1 the following new section: 599:1-a Petition; Late Appeal. A person sentenced for an offense by a municipal court who fails to appeal as provided in 599:1 may petition said court to enter a late appeal. Said petition shall be in writing and shall be made within three days from the date sentence is declared. Said court shall grant such petition provided that the person appealing shall appear in person, or by his attorney, at the next regular session of the court, or at such time and place as the justice of said court shall designate, to perfect his appeal by providing such bail as is determined proper by the court. All other requirements provided for in 599:1 shall be in force.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Superior Court. Amend RSA 599 by inserting after section 1-a the following new section: 599:1-b Petition for Appeal. Any person aggrieved by a decision of a municipal court who was prevented from appealing therefrom, as provided in 599:1 or 599:1-a, through mistake, accident or misfortune, and not from his own neglect, may petition the superior court at any time within thirty days from the time the sentence is declared, to be allowed an appeal, setting forth his interest, his reason for appealing and the cause of his delay. The court may make such order thereon as justice may require.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Gove of Concord for the Committee on Judiciary, Concurrent Resolution with respect to the tenth amendment to the United States Constitution. (See House Journal of Feb. 8, pp. 6 and 7.) Inexpedient to legislate.

Miss Collyer of Lisbon moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and the concurrent resolution was adopted.

Mr. Galloway of Walpole for the Committee on Public Works, HB 24, to restrict outdoor advertising on the interstate highway system. Ought to pass.

Mr. Bradley of Thornton moved that HB 24 be indefinitely postponed and spoke in favor of the motion.

Mr. Galloway of Walpole and Mr. Stevenson of Bethlehem spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Bradley of Thornton requested a division.

The division vote being manifestly in the negative the motion was lost.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Sabluski of Nashua for the Committee on Ways and Means, HB 318, providing for the taxation of bowling alleys. Inexpedient to legislate.

The undersigned, a minority of the Committee on Ways and Means. Ought to pass with amendment.

Hill of Conway
McAllister of Barnstead
Waterhouse of Windham
Bevan of Durham

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Annual License Fee. Amend RSA 286:8 by striking out the same and inserting in place thereof the following:

286:8 Fees. The annual license fee for each billiard table and each pool table which is connected with or managed as an adjunct of a summer hotel, summer boarding-house or place of summer outing or resort, when the same is only kept and maintained for the recreation of visitors during such of the summer months as such place is kept open for summer visitors, shall be four dollars. For all others it shall be ten dollars. The annual license fee for each bowling alley establishment shall be five dollars.

3 Penalty for Failure to Obtain License. Amend 286:10 by striking out the words "shall forfeit the sum of twenty dollars for every billiard table, pool table or bowling alley so kept, to be recovered in an action of debt in the name of the town, or" in the third, fourth and fifth lines so that said section as amended shall read as follows:

286:10 Penalty. Whoever, having a billiard table, pool table or bowling alley in his charge, shall keep the same for hire, gain or reward, or in connection with his place of business, without license, shall be fined twenty dollars for the use of the town in which such offense is committed.

4 Exemption from Taxation. Amend RSA 286:11 by striking out the same and inserting in place thereof the following:

286:11 Tax Exempt. Each billiard table and each pool table duly licensed shall be exempt from taxation.

Further amend said bill by renumbering section 3 to read section 5.

Mr. Waterhouse of Windham moved that the words, Ought to Pass with Amendment, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Kearns of Manchester moved that HB 318 be Indefinitely Postponed and spoke in favor of the motion.

Messrs. Nickerson of Goffstown, Maloomian of Somersworth, O'York of Dover and Audet spoke in favor of the motion.

Mr. Hill of Conway and Mrs. DeLude of Unity spoke against the motion.

(discussion ensued)

Mr. Deans of Milford moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question being on the motion to indefinitely postpone.

Mr. Waterhouse of Windham demanded the Yeas and Nays but subsequently withdrew his request and asked for a division.

The division vote being manifestly in the affirmative the motion to indefinitely postpone prevailed.

First and Second Reading of House Bills

HB 441, relative to salary for the register of deeds for Rockingham County (Greene of Rye) to Rockingham Delegation.

HB 442, relative to the licensing of real estate brokers and salesmen (Taft of Greenville) to Executive Departments and Administration.

HB 443, relative to agreements with the University of Vermont (Clement of Rochester) to Appropriations.

HJR 34, providing for a study into the feasibility of state participation in cost of group insurance for state employees (Williamson of Goshen) to Executive Departments and Administration.

HJR 35, relative to the study of aquatic nuisances (Urie of New Hampton, Joslyn of Sanbornton, Belanger of Manchester, Dulac of Laconia) to Resources, Recreation and Development.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 124, to validate the annual meeting of Allenstown School District.

SB 102, establishing a division of boards and commissions within the department of administration and control.

Senate Bills Read and Referred

SB 124, to Municipal and County Government.

SB 102, to Executive Departments and Administration.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 138, relating to fees for copies of certificates and minor technical corrections in the Uniform Commercial Code.

Amend paragraph IX as inserted by section 1 of the bill by striking out the word "financial" in the ninth line and inserting in place thereof the word, financing, so that said paragraph as amended shall read as follows:

IX Amend paragraph (1) of section 9-402, Chapter 9, Part 4, by inserting after the word "concerned" in the tenth line the words, and the name of the known record owner thereof, so that said paragraph as amended shall read as follows: (1) A financing statement is sufficient if it is signed by the debtor and the secured party, gives an address of the secured party from which information concerning the security interest may be obtained, gives a mailing address of the debtor and contains a statement indicating the types, or describing the items, of collateral. A financing statement may be filed before a security agreement is made or a security interest otherwise attaches. When the financing statement covers crops growing or to be grown or goods which are or are to become fixtures, the statement must also contain a description of the real estate concerned and the name of the known record owner thereof. A copy of the security agreement is sufficient as a financing statement if it contains the above information and is signed by both parties.

Further amend section 1 of said bill by inserting after paragraph XIII the following new paragraph:

XIV Amend section 4 of RSA 382-A, the Uniform Commercial Code as enacted by the Session of 1959, by striking out

the same and inserting in place thereof the following: 382-A:4 Transactions Before Effective Date of This Act. (a) Transactions validly entered into before the effective date of this act and the rights, duties and interests flowing from them remain valid thereafter and may be terminated, completed, consummated or enforced as required or permitted by any statute or other law amended or repealed by this act as though such repeal or amendment had not occurred.

(b) A chattel mortgage which is filed before July 1, 1961, as provided in RSA 360 or a conditional sale which is filed before July 1, 1961, as provided under RSA 361 need not be refiled under the provisions of the Article on Secured Transactions (Article 9) of this act.

(c) A statement of trust receipt financing which is filed before July 1, 1961, as provided in RSA 445 need not be refiled under the provisions of the Article on Secured Transactions (Article 9) of this act with respect to any trust receipt transaction, as defined in RSA 445, under which the entruster has acquired a security interest before July 1, 1961.

(d) A notice of a factor's lien on merchandise or accounts receivable which is filed before July 1, 1961, as provided in RSA 446, need not be refiled under the provisions of the Article on Secured Transactions (Article 9) of this act with respect to any lien which such factor may be entitled to claim before July 1, 1961, under RSA 446.

(e) The assignment of an account which is subject to RSA 333 and which is made before July 1, 1961, shall continue to be valid as provided in RSA 333, without compliance with the filing provisions of the Article on Secured Transactions (Article 9) of this act.

(f) Any assignment of an account, contract right, chattel paper, or general intangible, (not subject to RSA 333), which is valid at common law and which is made before July 1, 1961, shall continue to be valid to the same extent as before, without compliance with the filing provisions of the Article on Secured Transactions (Article 9) of this act.

(g) The Article on Secured Transactions (Article 9) of this act governs the validity and perfection of any transaction occurring on and after July 1, 1961, which would previously

have been included in any of the classes of transactions described in paragraphs (b) to (f) inclusive, of this section.

(h) A financing statement which contains the information required by section 9-402 of the Article on Secured Transactions (Article 9) of this act may be filed on or after July 1, 1961, in the place specified for filing in section 9-401 of the same Article, with respect to transactions taking place before July 1, 1961. If a security interest arising from any such transaction was perfected under the law applicable thereto, filing under this act continues the perfected status of the interest. If any such interest was not perfected under applicable law, filing under this act perfects the interest from the time of filing.

On motion of Mr. Healy of Manchester, Ward 6, reading of the amendments were dispensed with.

Mr. Healy explained the amendments and moved that the House concur in the Senate amendments.

On a *viva voce* vote the House concurred.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 8, increasing the salary of the Grafton county attorney.

HB 234, prohibiting solicitations from candidates for election.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 100, relative to notice of cutting and report of cut under the so-called timber tax law.

Resolutions

Mr. Emerson of Dalton offered the following resolutions:

Whereas, R. Wilbur Potter, Representative from Milan, is absent from the House due to illness, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend our

sympathy to our Fellow Member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit to him a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 356, pertaining to processed lobster meat.

HB 361, to provide for a maximum size for lobsters.

HB 362, to provide extra facility licenses for the sale of lobster meat.

HB 311, to permit the waiver of hearings before the public utilities commission when all parties are in agreement.

HB 333, relating to appeals from municipal courts.

HB 24, to restrict outdoor advertising on the interstate highway system.

On motion of Mrs. Cross of Portsmouth the House adjourned at 12:41 o'clock.

THURSDAY, APRIL 27, 1961

The House met at 11:00 o'clock.

The House was called to order by the Clerk, Francis W. Tolman, who read the following communication:

April 27, 1961

I hereby appoint Henry Goode to serve as Speaker of the House for April 27th.

Stewart Lamprey, Speaker
of the
House of Representatives

(Mr. Goode in the chair.)

Joint Convention

Prayer was offered as follows by the Chaplain, Reverend George Pennington:

O Thou who hast made us dependent on Thee and on one another, make us mindful of those who toil in factory, office, in the out-of-doors and in the home. Help us to find our own place in the great human tradition of honest labor, that here in this honored house of government we may make a significant contribution to the common well-being. May our strivings and efforts strengthen us with a sense of companionship with all worthful men and women, and may we take joy and satisfaction in opportunities to give meaningfully our ourselves. Amen.

Pledge of Allegiance to the Flag

Senator Gardner from the 6th District led the Convention in the Pledge of Allegiance to the Flag.

The Chair introduced Honorable Frank R. Kenison, Chief Justice of the Supreme Court of New Hampshire who addressed the Joint Convention as follows:

"Mr. Speaker, Mr. President, Honorable Members of the Senate and House of Representatives:

"It is a worthy occasion for the judiciary to be able to speak to the Legislature on Law Day. This opportunity allows an interchange of ideas between the judiciary and the Legis-

lature which does not present itself regularly and which may help us both in understanding the functions and obligations of the other.

"As you are aware, Law Day U.S.A. is celebrated May first and we honor it today because that date is not a legislative day. The occasion has the backing of Congressional legislation, the proclamation of the Governors of all the fifty states and the Mayors of every city in the country. It has become an institution and a time for us to consider the part that law plays in our daily individual life. It is customary for celebrations of this nature to take place in elementary schools, high schools, colleges, service clubs, professional organizations and societies. But strangely there has been a lack of this in legislative assemblies. As a matter of fact there are recommended speeches for every type of audience except for a legislative assembly. This, I was surprised to learn, when I wrote the American Bar Association three weeks ago and was informed that no such manuscript existed. Therefore you will realize that these brief remarks will at least have the spark of originality since it has been impossible to pirate them from any existing source.

"It is always easier for an outsider to defend an institution than the members of the institution itself, and I should like to take as the theme of Law Day today the criticisms that are directed at the General Court from time to time. It is said that it is too large a body, that it is unwieldy, and because of its size is not able to function with dispatch. As a basis for answering this criticism let us take the present session. First of all, let me remind you of a saying of the late Robert Jackson, when he was Attorney General of the United States. This gentleman had a habit of bringing matters to the surface in a barbed and graphic way and on one occasion he was noted to say: 'I do not know which type of wisdom I distrust the most, that of theorists who have studied a business but have never run it, or those of businessmen who have run a business but who have never studied it.' The apparent horns of this dilemma do not exist in our admittedly large General Court for we have the practical, the theoretical; we have the businessman, we have the scholar; we have the professional man, the scientist, and we have a wide diversity of talent and experience which brings itself to play upon legislation submitted before the Legislature. This is a virtue and an asset that should not be lightly discounted.

"In the first place, it prevents extremists of any type from attaining an over-all balance on the general run of legislation. In the second place, it usually allows the wisdom of the hard-headed New Englander to emerge in legislation which is finally enacted for the populace. Stanley Baldwin once stated that he was not so much surprised at the diversity of opinion as by the many-sidedness of truth. The wisdom of this observation is particularly pertinent when we consider the varied backgrounds, abilities and experience of the members of the General Court as they study, vote and pass legislation for the State.

"Another implied criticism of the General Court is that the large number prevents expeditious handling of legislative work. In considering this implied criticism, let us look at the present session. The Finance and Appropriations Committees of the House have been able to report in to the House for passage and forwarding to the Senate the budget bills for the biennium by mid-April. The prompt scheduling of hearings in the Senate has been another favorable factor in the progress of legislation to date. This could not have happened much more quickly regardless of the size of the House and it is quite obvious that this extraordinary result took place only as the result of (1) some inspired leadership, (2) some active and energetic chairmen and (3) the devoted and time-consuming efforts of every member of both committees. I think it is a testimonial to efficiency which has not received either the praise or the publicity to which it is entitled.

"It is sometimes implied that our Legislature does not contain enough experts. I will leave this criticism hanging on a simple quotation and remind you of the cynic's definition of an expert, as a man who avoids all the small errors as he sweeps on to the grand fallacy.

"It is sometimes implied that the General Court, because of its size, cannot be progressive. This is a criticism that should particularly bring forth from the average legislator a cry of outrage. Education is very much a current topic of conversation today and we should never forget that in 1822 the town of Dublin, New Hampshire had the first free public library in the Nation, supported by voluntary contributions; that in 1833 the town of Peterborough had the first free public library supported by a public tax. Nor should the legislator fail to point

out to his critics that in 1849 the New Hampshire Legislature enacted the first library law in the United States providing for the establishment of public libraries. See Laws 1849, c. 861 and, as was pointed out on another occasion, the New Hampshire Legislature led the Nation in being the first state to establish a commission for the regulation of insurance in 1851. Laws 1851, c. 1111. Nor can it be justly said that this Legislature, as now constituted, is unable to grasp and understand and appreciate the significance of complicated legislation, since it was one of the first five states to pass the Uniform Commercial Code after giving it considerable study and thought.

"On balance as an outsider I say to the General Court that they need not take a defensive attitude as to their accomplishments, their efficiency or their achievements. This is not to say that the legislative institution cannot be improved. But it is to say that its virtues have been not fully appreciated.

"Another reason why Law Day presents a good opportunity to take an unbiased view of the Legislature is its essentially democratic nature. There are many jurisdictions where bills are reported out of committee without public hearing or are held in committee without the opportunity for anyone to be heard for or against. In New Hampshire it can be said to the everlasting credit of the General Court that no man is too insignificant or too small, or too unknown, not to be heard for or against any legislation that is proposed before the General Court. This is a privilege which I hope you never dilute and that you maintain in full flower, because the result of it is that the legislative process handled in that manner is probably the most democratic on the face of the globe.

"While the emphasis has been on the legislative aspect of law, I am sure you all realize that law is more than a statute, more than a constitutional provision, more than a judicial decision and more than a city ordinance. It is all of these combined and applied as a whole. It is law that provides the traffic officer in the street, the policeman on the corner, the fireman at his station and all the other numerous public services which go to make up security in the daily living of the individual citizen.

"Law, as you well know, involves three great departments of government, the legislative, the executive and the judiciary. Each is independent, each is separate, each has the right to say

that the other shall not trespass on its powers and prerogatives but the three of them function as a working whole only by a cooperative effort. Probably the weakest of these three departments is the judiciary, since it has neither the power of the purse nor the power of the sword, and its continued existence as an independent unit rests in no small measure on its ability to render its decisions according to its absolute conviction in accordance with the Constitution rather than decisions based upon its personal predilections. This may be the reason that a little known and infrequently cited article of our Constitution provides that the judiciary shall be treated in an honorable manner. N. H. Constitution, Part I, Article 35th. I am happy to report to you gentlemen that the judiciary feels the Legislature has lived up to this both in the spirit and the letter.

“Let me conclude, as we did on another occasion, by quoting Dean Roscoe Pound, an outstanding authority on the law in the English-speaking world, who summed up the meaning of Law Day in one single sentence: ‘The law is the highest inheritance a sovereign people has, for without the law there would be no sovereign people and no inheritance.’ ”

On motion of Senator Cheney from District No. 15 the Convention rose.

House

Introduction of Guests

The Chair introduced the following guests of the House today:

A group of Girl Scouts, Troops 481, 318, 334, from St. Raphael Church of Manchester, courtesy Messrs. King and Kearns of Manchester.

A group of Boy Scouts from Concord, Ward 1, courtesy of Mr. York of Concord.

A group of students from the Milan grammar school, courtesy of Sergeant-at-Arms Lloyd Fogg.

A group of Brownies and Girl Scouts from Belmont, courtesy of Senator Gardner and Mr. Watson.

Leaves of Absence

Mr. Gilman of Farmington was granted leave of absence for the day on account of illness.

Mr. Peever of Salem was granted leave of absence for the day on account of important business.

First and Second Reading of House Bills

HB 444, legalizing the Walpole Village District meeting held on April 7, 1961 (Committee on Rules — Galloway of Walpole) to Municipal and County Government.

On motion of Mr. Deans of Milford, printing of HB 444 was dispensed with and the Clerk read the bill in full.

HB 445, legalizing the Walpole Fire District meeting held on April 7, 1961 (Committee on Rules — Galloway of Walpole) to Municipal and County Government.

On motion of Mr. Deans of Milford, printing of HB 445 was dispensed with and the Clerk read the bill in full.

HB 446, relative to motor vehicle fees (Committee on Rules — Quinn of Concord) to Ways and Means.

HB 447, relative to use of funds by credit unions (King of Manchester) to Banks.

Committee Reports

Mr. Bowler of Hanover for the Committee on Public Health, HB 30, relative to disposition of fees received by the board of chiropractic examiners. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following: An act providing for supplemental appropriation for board of chiropractic examiners.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Appropriation. The sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated for board of chiropractic examiners for the fiscal year ending June 30, 1961. The appropriation hereunder shall be a charge upon the general funds of the state.

2 Takes Effect. This act shall take effect upon its passage.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and HB 30 was referred to the committee on Appropriations under the rules.

Mr. Desnoyer of Claremont for the Special Committee consisting of the members from the city of Claremont, HB 411, relative to appointment of ballot inspectors in the city of Claremont. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Cassasa of Hampton for the Committee on Resources, Recreation and Development, HB 89, relative to the standards for classification of surface waters of the state. Ought to pass with amendment.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Minimum Treatment. Amend subparagraph V of RSA 149:3 by adding at the end thereof the following: The minimum treatment for the lowest classification shall be as follows: (a) For sewage, primary treatment resulting in the substantially complete removal of settleable solids. (b) For industrial wastes, such treatment, not to exceed primary treatment or its equivalent, as the commission shall determine after due consideration of the provisions of subparagraph IV above. Appeal from any such determination shall be in the manner provided for in section 14 hereof, so that said subparagraph as amended shall read as follows: V. All tests and sampling for the purpose of examination of waters shall be performed and carried out in a reasonable manner and whenever practicable, in accordance with the current edition of the Standard Methods for the Examination of Water and Sewage as published jointly by the American Public Health Association and the American Water Works Association. Near saturation for dissolved oxygen shall mean a dissolved oxygen content of at least seventy-five percentum of saturation. The waters in each classification shall satisfy all the provisions of all lower classifications. The minimum treatment for the lowest classification shall be as follows: (a) For sewage, primary treatment resulting in the substantially complete removal of settleable solids. (b) For industrial wastes, such treatment, not to exceed primary treatment or its equivalent, as the commission shall determine after due consideration

of the provisions of subparagraph IV above. Appeal from any such determination shall be in the manner provided for in section 14 hereof.

Mr. Watson of Belmont moved that HB 89 be made a Special Order of business for Tuesday, next, at 11:02 o'clock and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 229, for the acquisition of the Adams property in Durham for development of wildlife management area. Ought to pass.

HB 229 was referred to the committee on Finance under the Rules.

Mr. Willey of Campton for the Committee on Public Works, HB 344, naming an interstate highway. Inexpedient to legislate.

Minority: ought to pass.

George M. McGee, Sr.
Robert F. Congdon
William F. Keefe
John Clark
Maurice J. Downing

Mr. Kearns of Manchester moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Chandler of Bartlett moved that HB 344 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mr. King of Manchester spoke against the motion.

Mr. Willey of Campton spoke in favor of the motion.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Mr. King of Manchester demanded the Yeas and Nays and the roll was called as follows:

YEAS 209

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin of Bedford, Aucella, Farwell, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Taft, Pickering, Eaton, Brocklebank, Warren, Ainley, Lang, Pettigrew, Pillsbury, Deans, Falconer, Hayward of Milford, Buckley, Cole, Cooper, Milliken, Underhill, Locke, Karnis.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Parker, Bennett, Brown of Keene, Pickett, Allen of Rindge, Crain, Hackler, Ballam, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Campbell, Guest, Weber, Vaughan, Spalding, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Willey, Chandler of Canaan, Johnson of Franconia, Gage, Hayward of Hanover, Low, LaMotte, Larty, Karsten, Adams of Lebanon, Porter, Whipple, Burrill, Martin, Haskins, Cushman, Bell, Loizeaux, Bradley, Anderson, Berringer.

COOS COUNTY: Roy, Ledoux, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Potter of Northumberland, Brooks, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Persson, Spollett of Chester, Deming, Scott of Deerfield, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Hunter, Clark of Kingston, Shepard, Jenkins, Hislop, Cheney, Carter, McDaniel, Palmer, Driscoll, Bowles, Murch, Stafford, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 4, White of Portsmouth, Ward 5, Carkin, Cross, Langford, Greene of Rye, Magoon, Roulston, Felch, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Wiggin of Dover, Grimes, Fellows, Colbath, Richardson, Bevan, Drew, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Johnson of Rochester, Varney, Green of Rollinsford, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Lord, Robertson, Lacaille, McCarthy, Ayre, Prescott, Stothart, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Thompson of Effingham, Blake, Taylor of Ossipee, Brown of Sandwich, Nickerson of Tamworth, Kurth, Fox, Chamberlain, Claflin.

MERRIMACK COUNTY: Keneval, Asby, Hutchinson, Allen of Concord, Henry, Gibson, Bingham, Seamans, Peaslee, Sanders, Barnard, Maxham, Brown of Danbury, McKay, Stevens, Carpenter, Broek, Mulaire, Brown of Loudon, Thompson of Northfield, Brewster, Tarrant, Keith, Bigelow.

NAYS 161

HILLSBOROUGH COUNTY: Claveau, Gallagher, Provencal, Geisel, Mahony, Bruton, Hart, Hayes, Martel, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Clancy, Dupont, Ecker, Healy of Manchester, ward 6, O'Conner, LaFrance, LeClerc, Plante, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, ward 8, Cary, Morris, Belanger, Bergeron, Kearns, King, Hurley, Noel, Dumas, Lemay, Levasseur, Nalette, Allard, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Crowley, Gamache, Vachon, Dionne of Nashua, ward 2, Rosedoff, Kirkorian, Brosnahan, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, LaVallee, Sablusi, Bouthillier, Peabody, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Clark of Harrisville, Stearns, Cournoyer, Desmarais, Keating, Terrill, Faulkner, Miskelly, Kreto-wicz, Oliver, Congdon.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Angus, Nahill, Barrows, D'Amante, Desnoyer, Williamson, Bailey, Downing, Rowell.

GRAFTON COUNTY: Morse, Bowler, Neale, Beard, Couter-marsh, Demers, McGee, Collyer, Hill of Littleton, Kinghorn, Barney, Avery.

COOS COUNTY: Fortier, Perrault, Desilets, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Bushey, Stinson.

ROCKINGHAM COUNTY: Vey, Casassa, Sewall, Twardus, Keefe, Ingraham.

STRAFFORD COUNTY: Blanchette, Leighton, O'York, Stonemetz, Flanagan, Heald, Clark of Lee, Watson of Rochester, Potvin, St. Pierre, Clement, Maloomian, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Harkins, Normandin, Dulac, Urie.

CARROLL COUNTY: Roberts.

MERRIMACK COUNTY: Guilbeault, Phelps, Moore, York, Davis of Concord, Audet, Hancock, Lovejoy, Newell of Concord, Welch, Jennings of Concord, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, London, Plourde, Thibeault.

and the motion to indefinitely postpone prevailed.

Reconsideration

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it voted to indefinitely postpone HB 344 and spoke in favor of the motion.

(discussion ensued)

Messrs. Martel of Manchester, Coutermarsh of Lebanon, Daniell of Franklin, Pappagianis of Nashua, King of Manchester, Stonemetz of Dover, Keefe of Portsmouth, Peterson of Peterborough, Hart of Manchester and Stevenson of Bethlehem spoke in favor of the motion.

Mrs. Roulston of Salem and Mrs. Frizzell of Charlestown and Mr. MacIsaac of Laconia spoke against the motion.

Mr. King of Manchester requested a division.

184 members having voted in the affirmative and 180 members having voted in the negative and a two-thirds vote being necessary under the rules, the motion did not prevail.

Mr. Casey of Manchester demanded the Yeas and Nays and the roll was called as follows:

YEAS 178

HILLSBOROUGH COUNTY: Wiggin of Bedford, Aucella, Bartlett, Hambleton, Nickerson of Goffstown, Eaton, Claveau, Gallagher, Provencal, Geisel, Mahony, Bruton, Hart, Hayes, Martel, Cullity, Nolan, Linehan, Manning, Szelog, Walsh,

Casey, Clancy, Dupont, Ecker, Healy of Manchester, Ward 6; O'Conner, LaFrance, LeClerc, Plante, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, Ward 8; Cary, Morris, Belanger, Bergeron, Kearns, King, Hurley, Noel, Roche, Dumas, Lemay, Levasseur, Nalette, Allard, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Crowley, Gamache, Vachon, Deans, Hayward of Milford, Dionne of Nashua, Ward 2; Rosedoff, Kirkorian, Brosnahan, Sullivan, Maynard, Pappagianis, Dionne of Nashua, Ward 6; Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Sablusi, Bouthillier, Peabody, Peterson, Eastman of Weare.

CHESHIRE COUNTY: Gowing, Clark of Harrisville, Stearns, Cournoyer, Desmarais, Keating, Terrill, Faulkner, Miskelly, Kretowicz, Pickett, Congdon, Ballam.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Angus, Barrows, D'Amante, Desnoyer, Williamson, Bailey, Downing, Rowell, Merrifield.

GRAFTON COUNTY: Stevenson, Morse, Bowler, Hayward of Hanover, Neale, Coutermarsh, Demers, Porter, McGee, Collyer, Hill of Littleton, Kinghorn, Barney, Avery.

COOS COUNTY: Fortier, Perrault, Desilets, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Oakes, Bushey, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: Vey, Casassa, Sewall, Twardus, Palmer, Driscoll, Keefe, Ingraham.

STRAFFORD COUNTY: Blanchette, O'York, Stonemetz, Flanagan, Heald, Littlehale, Clark of Lee, Adams of Madbury, Watson of Rochester, Potvin, St. Pierre, Maloomian, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Harkins, Normandin, Dulac, Urie.

CARROLL COUNTY: Roberts, Brown of Sandwich.

MERRIMACK COUNTY: Guilbeault, Phelps, Moore, York, Davis of Concord, Audet, Hancock, Bingham, Lovejoy, Welch, Jennings of Concord, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Plourde, Thibeault.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Farwell, Jennings of Goffstown, Taft, Pickering, Brocklebank, Warren, Ainley, Lang, Pettigrew, Pillsbury, Falconer, Buckley, Cole, Cooper, Milliken, Underhill, Locke, Karnis, Rice.

CHESHIRE COUNTY: Totman, O'Neil, Watkinson, Turner, Parker, Bennett, Brown of Keene, Oliver, Allen of Rindge, Crain, Hackler, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Campbell, Nahill, Guest, Weber, Vaughan, Spalding, DeLude.

GRAFTON COUNTY: Paquette, Gilbert, Plumer, Willey, Chandler of Canaan, Johnson of Franconia, Gage, Low, LaMotte, Larty, Karsten, Adams of Lebanon, Beard, Whipple, Burrill, Martin, Haskins, Cushman, Bell, Loizeaux, Bradley, Anderson, Berringer.

COOS COUNTY: Roy, Ledoux, Marsh, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Potter of Northumberland, Brooks.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Persson, Spollett of Chester, Deming, Scott of Deerfield, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Hunter, Clark of Kingston, Shepard, Jenkins, Hislop, Cheney, Carter, McDaniel, Bowles, Murch, Stafford, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 4; White of Portsmouth, Ward 5; Carkin, Cross, Langford, Greene of Rye, Magoon, Roulston, Felch, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Leighton, Wiggin of Dover, Grimes, Fellows, Colbath, Richardson, Bevan, Drew, Reid, Rolfe, Marsan, Maxfield, Johnson of Rochester, Clement, Varney.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Lord, Robertson, Lacaillade, McCarthy, Ayre, Prescott, Stothart, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Thompson of Effingham, Blake, Taylor of Ossipee, Nickerson of Tamworth, Kurth, Fox, Chamberlain, Claffin.

MERRIMACK COUNTY: Keneval, Hanson, Asby, Hutchinson, Allen of Concord, Henry, Gibson, Seamans, Peaslee, Sanders, Barnard, Maxham, Newell of Concord, Brown of Danbury, McKay, Stevens, Carpenter, Broek, Mulaire, Brown of Loudon, London, Thompson of Northfield, Brewster, Tarrant, Keith, Bigelow.

and the motion to reconsider did not prevail.

Personal Privilege

Messrs. Geisel of Manchester, McGee of Lincoln, Hill of Littleton and Mrs. DeLude of Unity rose on a point of personal privilege.

Messrs. Pillsbury and King of Manchester rose on a point of personal privilege.

Committee of Conference Report

The Committee of Conference, to whom was referred HB 226, An Act providing for closed season on black bear, having considered the same, report the same with the recommendation that the House recede from its position of nonconcurrence in the adoption of the amendment offered by the Senate and that the Senate recede from its position in adopting its amendment, and that the Senate and House concur in the adoption of the following amendment:

Amend HB 226 by striking out after the enacting clause and substituting in place thereof the following:

1 Open Season Established. Amend RSA 208 by adding at the end thereof the following new section: 208:22 Wild Black Bear. Wild black bear, outside of game preserves, may be taken and possessed from one-half hour before sunrise to one-half hour after sunset in all counties of the state from October 1 to December 10 provided that no bear shall be taken at any time on any island or in any waters or lakes or ponds. Wild black bear may be taken by the aid and use of dogs during the months of May, September and October with written permission of the director or his agents. Wild black bear may be taken by the aid and use of dogs, firearms and by bow and arrow provided that no person shall take bear by the aid or use of a jack or artificial light, trap, snare, swivel, pivot or set gun or calibre .22 rimfire

firearm unless otherwise provided. Any person who kills a wild bear as provided by this section shall report as outlined in RSA 470:1-a. Landowners, or their agents, shall be permitted to set traps for bear doing actual or substantial damage to property. Such trapping shall only be permitted after the director or his agents have been notified of damage and have investigated said complaint. The director or his agents may then issue a special permit for the use of traps. Said permit shall state the location of traps and the dates when trapping shall be allowed. Any traps set as hereinbefore described shall be arranged and set in accordance with RSA 210:15. The carcass of a bear legally taken and reported may be bought and sold. Live bear may not be offered for sale at any time unless a person licensed so to do. Any person who violates any provision of this section shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

2 Amend RSA 466:33 (supp.) as amended by the laws of 1957, by striking out in line five thereof the words "bear or" so that said section as amended shall read as follows:

466:33 Dog at Large. It shall be unlawful for the owner or custodian of any self-hunting dog to permit such a dog to run at large in territory inhabited by game birds or quadrupeds, or on lands where sheep are pastured, between April first and September first of any year, provided that bobcat may be hunted between April first and June first with dogs under owner's control and supervision. Provided that any organized club may hold an American Kennel Club licensed or sanctioned field trial on game which is otherwise protected. Said club shall secure permission from the owner of the land on which said trial is to be held, and shall notify the director of the fish and game department, at least two weeks in advance, of the date and place of the trial. Whoever violates the provisions of this section shall be fined not more than twenty dollars.

3 Takes Effect. This act shall take effect October 1, 1961.

Tracy M. Spaulding
George L. Cheney
Guy Fortier

Conferees on the part of the House
Arthur M. Drake
Robert S. Monahan

Conferees on the part of the Senate

The Clerk read the report in full.

On a *viva voce* vote the report was adopted.

Communication

MARION L. PHILLIPS
Senator, District 8
Claremont, N. H.

To the Speaker of the House,
Members of the House
and Attaches.

Thank you all for the copy of Resolutions and other expressions of sympathy in tribute to my husband.

My deep appreciation to the Claremont delegation to the General Court.

Your kind consideration means a great deal to me.

Most sincerely,

Marion L. Phillips

Resolutions

Mr. Miskelly of Keene offered the following resolutions:

Whereas, we have learned with regret of the illness and confinement in the Elliot Hospital, of our fellow member from Keene, Charles P. Haley, therefore be it

Resolved, that we, the members of the House of Representatives in General Court Convened, do hereby extend our sympathy to our colleague with the hope that his sickness may be of short duration and that he may soon return to his duties in the Legislature, and be it further

Resolved, that a copy of these resolutions be transmitted to Representative Haley.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Urie of New Hampton offered the following resolution:

Resolved, that the Choir of the New Hampton School for Boys consisting of forty voices be invited to sing before the House of Representatives on Tuesday, May 16, at 11:01 a.m.

On a *viva voce* vote the resolution was adopted.

The Chair announced that next Sunday is the 50th wedding anniversary of Representative and Mrs. Mulaire of Hooksett.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Reading

HB 411, relative to appointment of ballot inspectors in the city of Claremont, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mrs. Roulston of Salem the House adjourned at 2:04 o'clock.

TUESDAY, MAY 2, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, George Pennington, as follows:

O God, who doth govern the planets in their orbits and whose law and order doth provide to us life and sustenance, we pause with a sense of the gravity of the space program which our country has entered. We give thanks for the enrichment of knowledge and technical aptitude which bears promise of deeper joy and fulfillment to the race of man. We are grateful

for those forward surges of progress into undiscovered countries which are made with a concern for human well-being. So, whether tomorrow or the next day, our country takes its next step in space exploration, we pray that people everywhere will be concerned with this new development as an instrument of peace and human service, and that this blessing of humanity's deep concern will be added to the safety of our astronaut. Amen.

Pledge of Allegiance to the Flag

Senator Caron from the 17th District led the Convention in the Pledge of Allegiance to the Flag.

Introduction of a Special Guest by His Excellency,

Wesley Powell

Mr. Speaker, Mr. President, Chaplain Pennington,
Honorable Members of the Senate and House:

You will recall that last fall Beverly and I journeyed to the countries of Brazil and Argentina with some twenty-seven other governors and their wives. During our trip to those two friendly nations we met many wonderful people but we shall never forget the reception we received when we landed in the city of Araraquara in the state of Sao Paulo in Brazil. Waiting for the Governor of New Hampshire at the bottom of the ramp was Mr. Elvio Lupo who is a distinguished Brazilian citizen, the owner of the largest hosiery mill in South America and a participant in one of the largest coffee plantations in the world. Most of all, Mr. Lupo is a wonderful customer of our State of New Hampshire. I was pleased when the folks at Scott and Williams in Laconia got in touch with me yesterday to inform me that Mr. Lupo was at their plant and I am more pleased that he is present here this morning that I may present him to you. Last night it was my pleasure to extend the appreciation and greetings of the people of our state to some thirty-two customers of Scott and Williams from various parts of the world, including Latin America. I congratulate the management of Scott and Williams for the outstanding contribution they are making to the prosperity of New Hampshire and they are to be congratulated also for the outstanding contribution they are making to the prosperity of the world by their production and shipment of goods to all areas.

I know I express your own feelings when I extend New Hampshire's warm hand of friendship to Mr. Lupo and assure him that as he returns home he carries with him the friendliest of greetings from the people of New Hampshire to the people of the city of Araraquara, the state of Sao Paulo, and the nation of Brazil.

I present Mr. Lupo.

Mr. Lupo addressed the Joint Convention briefly.

On motion of Senator Buckley from the 22nd District the Convention rose.

House

Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group of 7th and 8th grade students from Grantham, courtesy of Mrs. Weber of Croydon.

A group of 9th grade students of the Sacred Heart Academy of Nashua, courtesy of the Nashua Delegation.

The Junior history class of Lincoln High School, courtesy of Messrs. McGee of Lincoln and Berminger of Woodstock.

Leaves of Absence

Mrs. Brown of Sandwich and Messrs. Brown of Keene and Nolan of Manchester Ward 4 were granted leave of absence for the week on account of illness.

Messrs. Daniell of Franklin and Rowell of Newport were granted leave of absence for the week on account of important business.

Mrs. Ainley of Manchester and Mr. Rice of Peterborough were granted leave of absence for the day on account of illness.

Mr. Wiggin of Dover was granted an indefinite leave of absence on account of illness.

Mr. Watkinson of Fitzwilliam was granted a two week leave of absence on account of military service.

First and Second Reading of House Bills

HB 448, relative to the director of special health services (Chandler of Bartlett) to Public Health.

HB 449, relative to term of office of members of the state soil conservation committee (Burrill of Littleton) to Executive Departments and Administration.

HB 450, relative to the maintenance of bridges on Class II highways (Bradley of Thornton) to Public Works.

HB 451, relative to maintenance allotment by the state for Class IV and V highways (Bradley of Thornton) to Public Works.

HB 452, relative to additional payments to state employees receiving workmen's compensation (Angus of Claremont) to Executive Departments and Administration.

HB 453, relative to an assistant deputy register of probate for Hillsborough County (King of Manchester) to Judiciary.

Committee Reports

Mr. Moore of Bradford for the Committee on Public Works, HJR 30, providing special equipment to be used in searching for lost persons. Ought to pass with amendment.

Amend said joint resolution by striking out in the seventh line the word "governor" and inserting in place thereof the words, fish and game department, so that said joint resolution as amended shall read as follows:

That the sum of three thousand dollars is hereby appropriated to be expended by the department of public works and highways for the purchase of special equipment for use in searching for lost persons in the state. Said equipment shall consist of a horn together with a device such as a truck mounted air compressor type such as used on construction work. Said special equipment shall be available for use upon request of the fish and game department. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was referred to the Finance committee under the rules.

Mrs. Demers of Lebanon for the Committee on Education, SJR 3, to provide for the appointment of an interim commission on education to study the organization of school districts and the higher educational facilities in the state. Ought to pass.

SJR 3 was referred to the committee on Appropriations under the rules.

Mr. Rowell of Newport for the Committee on Finance, HB 185, relative to the issuance of short term loans for highway purposes. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Rowell of Newport for the Committee on Finance, HJR 17, in favor of Rita Collyer. Ought to pass.

On a *viva voce* vote the House Joint Resolution was ordered to a third reading.

Mr. Rowell of Newport for the Committee on Finance, SB 92, relating to retirement benefits for Hazel D. Lord, beneficiary under nomination of Edgar L. Lord. Ought to pass.

Mrs. Davis of Concord moved that SB 92 be recommitted to the Committee on Finance and spoke in favor of the motion.

Mr. Kearns of Manchester spoke in favor of the motion.

On a *viva voce* vote SB 92 was recommitted to the Committee on Finance.

Mr. Bingham of Concord for the Committee on Judiciary, HB 387, adopting the uniform securities ownership by minors act. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. London of New London for the Committee on Judiciary, HB 388, adopting the uniform act on paternity. Ought to pass with amendment.

Amend 168-A:2, as inserted by section 1 of the bill, by striking out the words "four years" in the eleventh and twelfth lines and inserting in place thereof the words, one year, so that

said section as amended shall read as follows: 168-A:2 Enforcement. Paternity may be determined upon the petition of the mother, child, or the public authority chargeable by law with the support of the child. If paternity has been determined, the liabilities of the father may be enforced in the same or other proceedings (1) by the mother, child, or the public authority which has furnished or may furnish the reasonable expenses of pregnancy, confinement, education, necessary support, or funeral expenses, and (2) by other persons including private agencies to the extent that they have furnished the reasonable expenses of pregnancy, confinement, education, necessary support, or funeral expenses. Such petition shall be filed within one year after the birth of the child or miscarriage.

Amend 168-A:3, as inserted by section 1 of the bill by striking out the words "four years" in the third line and inserting in place thereof the words, one year, so that said section as amended shall read as follows: 168-A:3 Limitation on Recovery from the Father. The father's liabilities for past education and necessary support are limited to a period of one year next preceding the commencement of a proceeding.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Bennett of Keene for the Committee on Judiciary, HB 409, relative to election of school district officers at town meeting. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Wildey of Westmoreland for the Committee on Judiciary, SB 10, relative to penalty for intimidation of state officials and employees. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, SB 105, relative to petitions for inquiry under the sexual psychopath act. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, HB 389, relating to acknowledgments by persons serving in armed forces or their dependents. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Ainley of Manchester for the Committee on Judiciary, HB 399, relative to certain obligations of married minors. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Milliken of Nashua for the Committee on Labor, HB 383, to protect employees participating in contributory group insurance. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Mahoney of Manchester for the Committee on Public Health, HB 116, relative to the duties of the board of chiropractic examiners. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Haskins of Lyme for the Committee on Ways and Means, HB 282, relative to the taxation of boats. Ought to pass with amendment.

Amend the bill by inserting after section 1 the following new sections:

2 Forms Prescribed: Penalty. Amend RSA 74 by inserting after section 74:3 the following new sections: 74:3-a Statement of Ownership. Every owner of a boat subject to taxation under RSA 72:15, 11 shall annually on or before April 15 file with the state tax commission upon a form prescribed and provided by the tax commission a statement of ownership made under the penalties of perjury setting forth his name, place of residence and such other information as may be required by the tax commission to enable the assessing officials to identify the boat to be taxed and determine the town, city or unincorporated place where the same should be assessed. The tax commission shall forward such statement of ownership, or a copy thereof, to the proper assessing officials of the town, city or unincorporated place where the boat is to be assessed as of April first and shall mail a receipt of such filing to every person filing such a statement. Failure

to have such a receipt shall be prima facie evidence that no statement was filed. Failure to file a statement of ownership shall continue a misdemeanor punishable by a fine not exceeding fifty dollars which less the costs of court shall be paid in the town or city where the boat was located on April first, and if the boat was in an unincorporated place on April first to the state treasurer to be held under the provisions of RSA 198:16 and used for the education of children made the responsibility of the state.

3 Collection of Tax. Amend RSA 270 by inserting after RSA 270:4 the following new section: 270:4-a. Payment of Taxes. Every application for the registration of a boat or outboard motor shall contain the following question: "Have you paid all taxes assessed against boats owned by you, to the date of this application?" If the answer to the foregoing question is negative, the commission shall not issue a registration until the applicant produces satisfactory evidence that such taxes have been paid. The commission shall at any time revoke or suspend the registration of any boat or outboard motor when the collector of taxes notifies the commission in writing that there remains unpaid any previous years tax against a boat or boats assessed in the name of the registrant.

4 Exception. Amend RSA 75:4 by inserting in the sixth line after the word "taxable" the following words, except boats which are not stock in trade, to that said section as amended shall read as follows: 74:4 Inventory Blanks. The inventory blanks shall be so arranged and formulated as to require, under penalty of perjury, from the person or corporation to be taxed, in answer to interrogatories therein stated, a description of all real estate taxable to the person or corporation, and a statement of the gross amount or quantity of each class of personal property for which he or it is taxable, except boats which are not stock in trade, and such other information as will enable the selectmen or assessors to assess all the taxable property of such person or corporation and at its true value; also a list of the shares in railroad corporations of this state owned by such person or corporation. The blanks shall require the owner's estimate of the value of his stock in trade, but not of his other property. The blank shall also require the owner's estimate of the amount and kind of merchantable wood and timber owned by him and standing on the land of another.

Further amend by renumbering section 2 to read section 5.

On motion of Mr. Chandler of Bartlett reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill was laid on the table for printing of the amendment.

On motion of Mr. Kearns of Manchester the order whereby HB 453, relative to an assistant deputy register of probate for Hillsborough county, was referred to the Judiciary committee was vacated, and the bill was referred to the Hillsborough county delegation.

Taken from the Table

SB 45, providing special licenses for lounges at municipal airports was taken from the table.

On motion of Mr. Collishaw of Exeter SB 45 was laid on the table for printing of the amendment and the bill was made a Special Order of business for Tuesday next at 11:01 o'clock.

HB 89, relative to the standards for classification of surface water of the state was taken from the table, the question being on the committee amendment.

Mr. Hunter of Hampton explained HB 89 and spoke in favor of the amendment.

(Mr. Clement of Rochester in the Chair)

(discussion ensued)

Miss Loizeaux of Plymouth moved that HB 89 be indefinitely postponed and spoke in favor of the motion.

Mr. Urie of New Hampton spoke against the motion.

Recess

After Recess

Mr. Paquette of Ashland spoke in favor of the motion.

(discussion ensued)

Messrs Bowles of Portsmouth, Perreault of Berlin and Plumer of Bristol spoke against the motion.

Messrs. Willey of Campton and McGee of Lincoln spoke in favor of the motion.

(discussion ensued)

Mr. Deans of Milford moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question now being on the motion to indefinitely postpone HB 89.

On a *viva voce* vote the Chair was in doubt and requested a division.

On a division vote, 129 members having voted in the affirmative and 159 members in the negative the motion was lost.

Miss Loizeaux of Plymouth demanded the Yeas and Nays but subsequently withdrew her request.

The question now being on the committee amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Urie of New Hampton offered the following amendment.

Further amend House Bill No. 89, as amended in the report of the Committee on Resources, Recreation, and Development, by adding after the words, "complete removal of settleable solids" in subparagraph (a) of the amendment, the words, when so ordered by the commission, so that said subparagraph (a) of section 2 of the bill as further amended will read as follows: (a) For sewage, primary treatment resulting in the substantially complete removal of settleable solids when so ordered by the commission.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill, was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 8, increasing the salary of the Grafton county attorney.

HB 234, prohibiting solicitations from candidates for election.

HB 331, relative to administration of small estates.

HB 332, relative to liability for violation of law of the road.

SB 39, relative to superstructures over highways in cities and towns.

SB 100, relative to notice of cutting and report of cut under the so-called timber tax law.

HB 138, relating to fees for copies of certificates and minor technical corrections in the Uniform Commercial Code.

HB 164, relative to acquisition of land for propagation of game.

HB 196, relative to total population figure at Laconia State School.

HB 208, relating to revocation of hunting and fishing licenses.

SB 73, to change the personnel of the board of managers of the New Hampshire Soldiers' Home.

SB 65, providing that the state of New Hampshire may enter into a compact with any of the New England states to provide for the control, development and execution of programs of cooperation for the confinement, treatment and rehabilitation of offenders.

SB 76, relative to taxation of corporation property.

SB 83, relative to tax assessments in unincorporated places.

Senate Messages

The Senate announced that the Senate has voted to adopt the report of the Committee of Conference to whom was referred:

HB 226, providing for closed season on black bear.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the

passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 269, relative to financing industrial waste treatment facilities.

HB 352, relative to appeals for permanent state employees.

HB 401, relative to cooperative arrangements between towns for public recreational facilities.

HB 187, authorizing the establishment of an interstate school district by Hanover, N. H. and Norwich, Vermont.

Communication

April 28, 1961

Speaker of the House Stewart Lamprey
State House
Concord, New Hampshire

The New Hampshire National Guard respectfully invites the House of Representatives to an Armed Forces Day display and luncheon on Wednesday, May 17, 1961, at the State Military Reservation.

The luncheon will be served from 12:00 noon until 1:30 P.M. It would be greatly appreciated if you could furnish the undersigned with a rough estimate of the number of attendants on Thursday, May 11, 1961.

Sincerely,
F. B. McSwiney
Major General, AGC, NHNG
The Adjutant General

Resolutions

Mr. Stafford of Portsmouth offered the following resolutions:

Whereas, we have learned of the recent demise of Alvin F. Redden of Portsmouth, a former fellow legislator, and

Whereas, Mr. Redden was well known throughout the state for his interest in the Seacoast Regional Development

and for his work in Civil Defense, serving his city, county and state in an efficient manner, therefore be it

Resolved, that we, the members of this House of Representatives in General Court convened, do hereby express our sympathy to his bereaved family and be it further

Resolved, that a copy of these resolutions be transmitted to his family.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Angus of Claremont moved that the rules be so far suspended that the record on HB 198, an act relative to the sale of liquor on Sundays and Election days, be so far corrected as to show that the bill was passed by the House and sent to the Senate in revised form, and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Announcements

The Chair announced that last Tuesday Mr. Stevens of Epsom was seventy-one years old and the Banking committee enroute to a public hearing at Goffstown held a birthday party and presented Mr. Stevens a cake.

The Chair also announced that today is the 29th wedding anniversary of Mr. and Mrs. McGee of Lincoln.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

HB 89, relative to the standards for classification of surface water of the state, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Urie of New Hampton, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 89 and spoke against the motion.

On a *viva voce* vote the motion was lost.

Third Readings (cont.)

The following House bills and House Joint Resolution were severally read a third time, passed, and sent to the Senate for concurrence:

HB 389, relating to acknowledgments by persons serving in armed forces or their dependents.

HB 185, relative to the issuance of short term loans for highway purposes.

HJR 17, in favor of Rita Collyer.

Reconsideration

Mr. Pickett of Keene having voted with the majority, moved that the House reconsider its vote whereby it passed HJR 17, and spoke against the motion.

On a *viva voce* vote the motion was lost.

Third Readings (cont.)

HB 388, adopting the uniform act on paternity.

HB 409, relative to election of school district officers at town meeting.

SB 105, relative to petitions for inquiry under the sexual psychopath act, was passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Blanchette of Dover the House adjourned at 3:05 o'clock.

WEDNESDAY, MAY 3, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, George Pennington:

O Thou who doth place unrest in the too complacent heart and doth comfort with balm of peace the mind that is tossed and turned with distress, germinate within us a selfless ambition to be of significant service in the conduct of state government. As our state is known for the health of its economy, the beauty of its natural assets, the independence and integrity of its people, let it also be known for the intelligent self-determination of its government, founded on laws conceived in the interests of our people and administered by dedicated public servants. To Thee shall be our thanks and praise. Amen.

Pledge of Allegiance to the Flag

Mr. Eastman of Weare led the Convention in the Pledge of Allegiance to the Flag.

House

The Chair introduced Mr. Draper of Wilton, who, having qualified before His Excellency, Governor Wesley Powell, appeared during the session after a long illness and took his seat in the House.

Introduction of Guests

The Chair introduced a group of 8th grade students from the Elementary School of Weare, courtesy of Mr. Eastman of Weare.

Leaves of Absence

Mr. Kimball of Derry was granted leave of absence for the day on account of illness.

Mr. Stevens of Epsom was granted leave of absence for today and Thursday on account of important business.

First and Second Reading of House Bills

HB 454, relative to certain motor vehicle road toll refunds and registration fees (Geisel of Manchester) to Ways and Means.

HB 455, relative to the restraining of dogs (Hanson of Bow) to Judiciary.

Committee Reports

Mr. Stevens of Epsom for the Committee on Banks, SB 89, to amend the charter of Cheshire County Savings Bank. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Rowell of Newport for the Committee on Finance, HJR 33, in favor of the estate of Herbert Andrew Willard. Ought to pass.

On a *viva voce* vote HJR 33 was ordered to a third reading.

Mr. Emerson of Dalton for the Committee on Municipal and County Government, HB 424, relative to supervisors of check-lists. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Pickering of Hancock for the Committee on Municipal and County Government, HB 429, relative to representative town meeting government. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Resolutions

Mr. Rowell of Newport offered the following resolutions:

Whereas, we have learned of the passing of our former colleague Herbert E. Brown of Newport, and

Whereas, Mr. Brown has served ably as a Representative from his town and in other capacities for his town and state, therefore be it

Resolved, that we, the members of this House of Representatives in General Court convened, do hereby extend our sympathy to his widow in her bereavement, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mrs. Lena Brown.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Cormier of Somersworth offered the following resolutions:

Whereas, Guy M. Wiggin, Representative from Dover, is very ill at his home, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend our sympathy to our Fellow Member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit to Representative Wiggin a copy of these resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Low of Hanover offered the following resolutions:

Whereas, we have learned with sorrow of the death of the former member from Hanover, Robert J. Fuller, former Hanover school superintendent, and

Whereas, Mr. Fuller was for many years a teacher, principal and superintendent of schools in both Massachusetts and New Hampshire, served for seven years after World War I as vocational guidance officer for veterans, was active in Boy Scout activities and was prominent in the affairs of his town and state, now therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire legislature extend our sympathy to the family in their bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family of Mr. Fuller.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of

bills be by title only and resolutions by caption only, that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

SB 89, to amend the charter of Cheshire County Savings Bank, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following House Bill and House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence:

HJR 33, in favor of the estate of Herbert Andrew Willard.

HB 429, relative to representative town meeting government.

On motion of Mrs. Richardson of Dover the House adjourned at 11:41 o'clock.

THURSDAY, MAY 4, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Robert F. Barnea, Assistant Pastor of St. Peter's Church in Concord:

Great and eternal God, Creator and Lord of all things, Supreme Legislator and Supreme Ruler, we acknowledge that every law and all authority has its origin in You and we thank Thee for having given us a share in that authority.

We seek Thy help in the exercise of that authority. Grant us that objectivity and healthy realism which will help us at all times to perceive clearly that which is best. Grant that we may never stray from that sound impartiality which makes us mindful of all without unjust preference. May we strive to

imitate, in our own humble way, that rightness and holiness with which You Yourself govern and rule.

Hear our prayer, O Lord, so that Your light may never fail our minds, that Your strength may never be lacking to our wills, and that the warmth of Your charity may always fill our hearts. Amen.

Pledge of Allegiance to the Flag

Mr. Audet of Concord led the Convention in the Pledge of Allegiance to the Flag.

Introduction of Special Guests by His Excellency, Wesley Powell

The Governor presented Peg O'Neill chaperone of Miss America and presented her with a souvenir gift. Miss O'Neill addressed the Joint Convention briefly.

The Governor also presented Mr. Robert Jolicoer of the Pepsi Cola Company, sponsor of the Miss America tour.

The Governor also introduced Drina Bouchard of Rochester, Miss New Hampshire of 1960 who was presented with a gift by President of the Senate Green.

Finally, the Governor presented to the Joint Convention, Nancy Anne Fleming, Miss America 1960 who was presented with gifts by Mr. Kearns of Manchester and by the Speaker of the House. Miss America then addressed the Joint Convention briefly.

On motion of Senator Drake from District No. 2 the Convention rose.

House

Introduction of Guests

The Chair introduced a group of fourth grade students from the Interlake School District of Meredith and Center Harbor, courtesy of Mr. Allen of Meredith and Mr. Matheson of Center Harbor.

Leaves of Absence

Messrs. Hunter of Hampton and Kimball of Derry were granted leave of absence for the day on account of illness.

Messrs. Pinkham of Northwood, LeMay of Manchester and Marsan of Rochester were granted leave of absence for the day on account of important business.

First and Second Reading of a House Bill

HB 456, relating to taxation of banks (Hancock of Concord) to Ways and Means.

Committee Reports

Mrs. Neale of Hanover for the Committee on Appropriations, HB 86, increasing the state guarantee of municipal bonds issued for water pollution projects. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "twenty-five" in the third and eighth lines and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows:

1 State Guarantee. Amend RSA 149:5 (supp) as amended by 1957, 213:2 by striking out the word "ten" in the first sentence and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: 149:5 State Guarantee. In view of the general public benefits resulting from the elimination of pollution from the public waters of the state, the governor and council are authorized in the name of the state of New Hampshire to guarantee unconditionally, but at no time in excess of the total aggregate sum for the entire state of fifteen million dollars, the payment of all or any portion, as they may find to be in the public interest, of the principal of and interest on any bonds or notes issued by any municipality, town, city, county, or district for construction of sewage systems, sewage treatment and disposal plants, or other facilities necessary, required or desirable for pollution control, and the full faith and credit of the state are pledged for any such guarantee. The state's guarantee shall be endorsed on such bonds or notes by the state treasurer; and all notes or bonds issued with state guarantee shall be sold (1) at public sealed bidding, (2) after publication of advertisement for bids, (3) to the highest bidder. Any and all such bids may be rejected and a sale may be negotiated with the highest bidder. In the event of default in payment of any such notes or bonds,

the state may recover any losses suffered by it by action against the town as provided in RSA 530.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Karkavelas of Dover for the Committee on Appropriations, HB 345, providing for control of aquatic nuisances on Lake Winnisquam. Ought to pass with amendment.

Amend the bill by inserting after section 1 a new section as follows:

2 Reports. Monthly progress reports shall be made by the Commission to the legislative budget assistant in such form as he may require.

Further amend said bill by renumbering section 2 to read section 3.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Lord of Gilford for the Committee on Appropriations, HJR 1, providing an appropriation for the Civil War Centennial Commission. Ought to pass with amendment.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That there is hereby appropriated for expenditure by the New Hampshire Civil War Centennial Commission, established by chapter 190, Laws of 1959, the sum of five thousand dollars. None of this appropriation shall be expended for the research or compilation of a publication.

This appropriation shall be a continuing appropriation and shall not lapse. Transfer of funds within this appropriation may be made upon approval by the governor and council. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

At the request of Mr. Chandler of Bartlett, Mrs. Lord of Gilford explained the bill.

(discussion ensued)

The question being on the adoption of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mrs. Lord of Gilford requested a division.

156 members having voted in the affirmative and 119 in the negative the amendment was adopted.

Mr. Craig of Manchester moved that further consideration of HJR 1 be indefinitely postponed and spoke in favor of the motion.

Mrs. Lord of Gilford spoke against the motion.

(discussion ensued)

Messrs. Pillsbury of Manchester, Downing of Newport, Geisel of Manchester and O'Neil of Chesterfield spoke against the motion.

Mr. Bowler of Hanover spoke in favor of the motion.

On a *viva voce* vote the motion was lost.

Mr. Craig of Manchester requested a division.

117 members voting in the affirmative and 186 members in the negative, the motion to indefinitely postpone was lost.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Weeks of Greenland for the Committee on Appropriations, HJR 13, authorizing a study of the operation of the milk control act. Ought to pass with amendment.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the Department of Agricultural Economics, College of Agriculture, University of New Hampshire, shall make a study of the history, administration and operation of RSA 183 relating to milk control. A report of the results of this investigation shall be filed with the agricultural committees of the house and senate and a copy thereof shall be filed with the governor not later than June 1, 1961.

The Clerk read the amendment in full.

At the request of Mr. Pillsbury of Manchester, Mr. Clement of Rochester explained the bill.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. King of Manchester for the Committee on Appropriations, HJR 15, providing funds for completion of forest conservation aid payments. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Taft of Greenville for the Committee on Appropriations, HJR 19, making appropriation for the state house first aid room. Inexpedient to legislate.

Mr. Deming of Danville spoke against the resolution.

(discussion ensued)

Mr. Clement of Rochester explained the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. Perreault of Berlin for the Committee on Insurance, HB 393, relative to assessments by insurance firms. Ought to pass with amendment.

Amend section 1 of the bill by striking out in the sixth, seventh, eighth and ninth lines the words, "No domestic, foreign, or alien life insurance company shall be permitted to do business in this state if it does business, in this state or elsewhere, on such or any other assessment plan," so that said section as amended shall read as follows:

1 Insurance. No company licensed to sell life insurance or accident and health insurance shall issue any policy of life insurance or accident and health insurance or any annuity contract which provides for the payment of any assessment by any policyholder or member in addition to the regular premium charged for such insurance; nor shall any company have power to levy or collect any such assessment.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Brosnahan of Nashua for the Special Committee consisting of the members from the city of Nashua, HB 180, to increase the terms of office of the clerk and treasurer of the city of Nashua. Ought to pass, with amendment.

Amend section 1 of said bill by striking out the words "the terms of office of the city clerk and overseer of the poor and of the city treasurer and collector of the taxes shall be for six years or until their respective successors are chosen and qualified" in the seventeenth, eighteenth, nineteenth and twentieth lines and inserting in place thereof the words, effective January 1, 1962, the city clerk and overseer of the poor and the city treasurer and collector of taxes shall be elected at the first regular meeting of the board of aldermen in the month of January, and excepting, further that effective January 1, 1962, the terms of office of the city clerk and overseer of the poor and of the city treasurer and collector of taxes shall be for five years or until their respective successors are chosen and qualified, so that said section as amended shall read as follows:

1 Increase Term of Office. Amend section 42, Part I, chapter 427, laws of 1913, as amended by laws of 1937, chapter 314 and by laws of 1941, chapter 278, by striking out the same and inserting in place thereof the following:

Sect. 42. City Officers Chosen. The board of aldermen shall elect by viva voce and major vote on roll call a city clerk and overseer of the poor who shall be one and the same person, city treasurer and collector of the taxes who shall be one and the same person, city physician, city solicitor, and board of health. In all other cases, offices shall be filled by appointment of the mayor, subject to confirmation by said board, except the city messenger, who shall be chosen and appointed by the mayor, unless otherwise provided for in this charter. All vacancies occurring in such offices shall be filled in the same manner. The time for choosing or appointing all officers to be chosen by the board or by the mayor shall be the first secular day of January and such terms of office shall be for two years or until their respective successors are chosen and qualified, except that, effective January 1, 1962, the city clerk and overseer of the poor and the city treasurer and collector of taxes shall be elected at the first regular meeting of the board of aldermen in the month of January, and excepting further, that effective January 1, 1962, the terms of office of the city

clerk and overseer of the poor and of the city treasurer and collector of taxes shall be for five years or until their respective successors are chosen and qualified. In all cases where salaries or wages for services are paid from the municipal treasury, the compensation shall be determined by the board of aldermen upon recommendation of the several departments excepting those employed in connection with the schools.

The Chair laid HB 180 on the table for printing of the amendment.

Mr. Pappagianis of Nashua for the Special Committee consisting of the members from the city of Nashua HB 274, relative to the salaries of the mayor and board of aldermen of the city of Nashua. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "Said salaries shall be full and sole compensation and reimbursement for services performed while on official business" in the fourth, fifth and sixth lines so that said section as amended shall read as follows:

1 Salaries of Mayor and Board of Aldermen. The mayor and board of aldermen shall receive for their services such salary as the board of aldermen, subject to the veto of the mayor, shall determine, payable at stated periods. Said salaries of the mayor and board of aldermen, shall not be increased or diminished from the time of any popular election of a mayor until the close of the term of said mayor next ensuing said election.

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2 Present Salaries Affirmed. Pending affirmative action by the mayor and board of aldermen as hereinabove provided, the salary of the mayor shall remain eight thousand dollars per annum, the salary of each ward alderman shall remain two hundred dollars per annum, and the salary of each alderman-at-large shall remain four hundred dollars per annum.

Amend section 3 by striking out the words "upon its passage" and inserting in place thereof the following: January 1, 1962, so that said section as amended shall read:

3 Takes Effect. This act shall take effect January 1, 1962.

The Chair laid HB 274 on the table for printing of the amendment.

Mr. Chandler of Bartlett for the Committee on Ways and Means HB 415, relative to fees for private boat registration. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Private Boat Registration. Amend RSA 270 (supp) as amended by 1959, 53:2 by inserting after section 5 the following new section:

270:5-a — Issuing Agents. If any private boat registration is issued for the commission by one of their duly authorized agents not on the payroll of said commission, such agent shall collect from the registrant a fee of fifty cents in addition to the fees prescribed by paragraphs III and IV of section 5. Each applicant for private boat registration shall have printed thereon the words and figures, "agent's fee \$.50". Such agent shall retain said additional fee as compensation for his services in connection with the issuance of such registration.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Taken From The Table

HB 282, relative to the taxation of boats, the question being shall the bill be read a third time.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Peterson of Peterborough for the Committee on Executive Departments and Administration, SB 49, establishing a department of health and welfare and providing for the merger therein of certain departments and agencies within the state government. Ought to pass with amendment.

Amend paragraph III of RSA 126-A:2, as inserted by section 1 of the bill, by striking out said paragraph and inserting in place thereof the following:

III. With the approval of the governor and council and after consultation with directors of divisions affected, and with the water pollution commission as it may be concerned, the

commissioner of health and welfare is authorized to transfer appropriations or portions thereof relating thereto within and between any division of the department. The commissioner of health and welfare is authorized to transfer classified personnel, after consultation with the directors of divisions affected and with the water pollution commission as it may be concerned, within and between any division of the department in accordance with rules and regulations of the personnel commission; provided, however, that no such transfer shall eliminate the classified position transferred.

Amend paragraph IV of RSA 126:A-2, as inserted by section 1 of the bill, by striking out in the ninth and tenth lines the words "department directors" and by striking out in the eleventh line the words "the director of the division concerned" and inserting in place thereof in each instance the words, the commissioner of health and welfare, so that said paragraph as amended shall read as follows:

IV. Except as may be specifically provided to the contrary in this act, nothing herein shall imply nor be construed to eliminate any position in the classified service of the state nor to reduce existing salary or emoluments attendant upon any classified position affected by transfer or merger under this chapter. Vacancies in classified positions occurring after July 1, 1961 in any department functions to be transferred to the new department of health and welfare shall not be filled without the approval of the governor and council, provided that after written notification of vacancies to be filled are received by governor and council from the commissioner of health and welfare, and if no action is taken on these requests within 30 days, the commissioner of health and welfare may fill such vacancy or vacancies forthwith. No permanent classified employee in the state service upon the effective date of this act shall be required to take an examination to remain in his position.

Amend RSA 126-A:4 as inserted by section 1 of the bill by striking out the word "five" in line six and inserting in place thereof the word, four, so that said section as amended shall read as follows: 126-A:4 Commissioner of Health and Welfare. Administrative and executive direction of the department of health and welfare shall be under the direction of a commissioner of health and welfare, who shall be appointed by the governor and council upon nomination by the advisory com-

mission established by this chapter. He shall hold office for a term of four years from the date of his appointment and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department of health and welfare. Directors of departmental divisions shall be subject to supervisory authority of the commissioner whenever in his discretion he shall see fit to exercise the same. Said authority shall include the power to establish departmental and divisional policy as well as to control the actual operations of the department and all new divisions therein.

Amend RSA 126-A:6 as inserted by section 1 of the bill by inserting after the words "New Hampshire" in line nine the following: certified or eligible for certification by the American Board of Neurology and Psychiatry, and further amend said section by striking out the word "five" in line fifteen and inserting in place thereof the word, four, so that said section as amended shall read as follows: 126-A:6 Directors of Divisions. There shall be a director of the division of public health services, who shall be a physician trained in public health work, a director of welfare who should be duly qualified through training at an accredited school of social service with emphasis in public welfare administration and at least five years of executive experience in the field of public welfare, and a director of the division of mental health who shall be a physician-psychiatrist eligible for licensure as an M.D. in New Hampshire certified or eligible for certification by the American Board of Neurology and Psychiatry. Director of divisions shall be responsible for the administration and operation of their respective divisions subject to the supervisory authority of the commissioner as set forth in 126-A:4 of this act. Each shall be appointed by the governor and council on nomination of the commissioner after consultation with the advisory commission for a term of four years from the date of his appointment and until his successor is appointed and qualified. Notwithstanding any other provisions of this act the incumbent directors in office on the effective date of this act shall continue to hold office as though they had been initially appointed pursuant to the provisions of this act.

Amend RSA 126-A:8 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

126-A:8 Advisory Commission; Establishment. There shall be an advisory commission on health and welfare consisting of eleven members appointed by the governor and council for a term of five years and until their successors shall be appointed and qualified. The advisory commission shall be comprised of one physician specializing in psychiatry, one pediatrician, and one general practitioner or internist, each of the foregoing to be first nominated for appointment by the New Hampshire State Medical Society, one psychologist to be nominated for appointment by the New Hampshire psychological Association, one social worker to be nominated for appointment by the New Hampshire chapter of the National Association of Social Workers, one dentist to be nominated by the New Hampshire Dental Association and five members-at-large who are not members of the medical profession to be nominated and appointed by the governor and council, having due regard for their individual background and interest in the field of health and/or welfare. Nominations to the governor and council shall be promptly submitted both with respect to initial and successor appointments as well as the filling of vacancies, to the end that there shall be the least possible period of less than full membership of the advisory commission. Whenever nominations to the governor and council from any sources are delayed for longer than a period of thirty days after receipt of notice from the secretary of state that the nomination is required, the governor and council are authorized to appoint without such nomination, but having due regard to the qualifications required of each appointee as set forth herein. Initial appointments by the governor and council shall be as follows: three members for one year, two members for two years, two members for three years, two members for four years, and two members for five years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The commission shall have a chairman, who shall be designated by the governor from among its membership. The term of the chairman shall be for one year. He may be reappointed as chairman but for not more than three consecutive years, and thereafter shall be ineligible to be chairman. The commission shall meet not less frequently than quarterly and at such other times as it may be convened by the call of the chairman, the call of the commissioner, and on the petition of any three members it shall be the duty of the chairman to convene the commission forthwith. Members

of the commission shall receive no per diem but shall be entitled to expenses including mileage when in the performance of duties required by this act.

Amend RSA 126:A-9, as inserted by section 1 of the bill, by inserting after the word "therein" in the nineteenth line the words, provided, however, that nothing in this chapter shall be construed to abrogate the existing right of patients to communicate by writing or in person upon a confidential basis with the chairman or any member of the advisory commission in respect to personal problem and no disciplinary action shall be taken against any patient exercising this privilege, so that said section as amended shall read as follows:

126-A:9 Advisory Commission: Duties. The advisory commission shall nominate for appointment by the governor and council, the commissioner of health and welfare. It shall serve in an advisory capacity to the commissioner and to the department of health and welfare. It shall make a continuing study of the problems of health, mental health and welfare in the state of New Hampshire, survey and examine the operations of the commissioner and of the directors of the divisions of the department in meeting these problems and from time to time make recommendations to the commissioner regarding the activities and operations of the department. It shall submit to the governor and council in each October an annual report of the activities of the department, which report shall be a public document. From within its membership the commission shall establish boards of visitation of not less than three members each, for the Laconia state school, the New Hampshire state hospital, the state sanatorium and such other health facilities within the department as it may deem advisable. It shall be the duty of the members comprising each board of visitation to make inspection of their respective institutions, without previous notice, not less frequently than once each four months, and as often as each board may desire. Such inspection shall have particular regard for the care and treatment of patients therein, provided, however, that nothing in this chapter shall be construed to abrogate the existing right of patients to communicate by writing or in person upon a confidential basis with the chairman or any member of the advisory commission in respect to personal problems and no disciplinary action shall be taken against any patient exercising this privilege. Findings and recommendations of each board of visita-

tion shall be submitted to the full advisory commission as occasion may require, and where made shall be incorporated in the annual report of the advisory commission to the governor and council.

Amend RSA 126-A:10 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

126-A:10 Additional Departmental Duties; Discretionary Assignment of Coordinator. The commissioner of health and welfare, upon recommendation of the director of mental health, is authorized to establish within the division of mental health such administrative assignment of duties and responsibilities with respect to institutional services, educational and research services and community mental health services as he shall from time to time deem necessary and desirable, after first consulting with and receiving the advice of the advisory commission. In the discretion of the commissioner, and with the approval of the advisory commission and of the governor and council, the commissioner is authorized to establish within the division of mental health a classified position of coordinator of community mental health services, research and education, in accordance with rules and regulations of the personnel commission. The salary of the coordinator shall be from funds appropriated to the department not otherwise appropriated.

Amend RSA 126-A:11 as inserted by section 1 of said bill by striking out the words "shall require the approval of the commissioner as well as that of the director of the division to which such agency may be assigned within the department" in the third, fourth and fifth lines and inserting in place thereof the words, shall become effective when promulgated by the commissioner, either on his own initiative or as a result of his approval of regulations recommended to him by the director of the division to which such agency may be assigned within the department, so that said section as amended shall read as follows:

126-A:11 Agency Regulations; Approval of Commissioner. After the effective date of this act, rules and regulations of all agencies of state government merged within or transferred to the department of health and welfare shall become effective when promulgated by the commissioner, either on his own initiative or as a result of his approval of regulations recom-

mended to him by the director of the division to which such agency may be assigned within the department, unless otherwise specifically provided therein, provided, however, that existing rules and regulations shall remain in full force and effect until and unless amended or otherwise affected by action of the commissioner pursuant to this section.

Amend RSA 126-A:12 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

126-A:12 Department and State Board of Health; Transfer of. All powers, duties, functions, personnel, records and property of the state department of health established pursuant to RSA 125:1 are hereby transferred to the department of health and welfare, division of public health services. All powers and duties vested in the state board of health pursuant to any provision of the statutes are hereby vested in the department of health and welfare, division of public health services, except that the commissioner of health and welfare, or his designated representative, shall conduct fair hearings on applications for hospital construction projects. Wherever reference is made to the state board of health in Title X of the Revised Statutes Annotated as well as in the statutes generally, it shall henceforth be construed to mean the department of health and welfare, division of public health services, except as otherwise specifically provided herein.

Amend RSA 126-A:23 as inserted by section 1 of the bill by inserting after the word "welfare" in the seventh line the words, except that the commissioner of health and welfare, or his designated representative, shall conduct fair hearings of appeals by applicants for and recipients of public assistance, and by striking out the words "director of the division of welfare" in tenth line and inserting in place thereof the words, commissioner of health and welfare, so that said section as amended shall read as follows:

126-A:23 Board of Public Welfare; Powers and Duties Transferred. All of the functions, powers, duties, records and property of the board of public welfare are hereby transferred to and vested in the department of health and welfare, division of welfare. Wherever reference is made in the statutes to powers and duties of the board of public welfare it shall henceforth be construed to mean the director of the division of wel-

fare within the department of health and welfare, except that the commissioner of health and welfare, or his designated representative, shall conduct fair hearings of appeals by applicants for and recipients of public assistance. The board of public welfare, established by RSA 161:3 is hereby abolished. The tenure of members of the board shall terminate upon the appointment and qualification of the commissioner of health and welfare.

Amend RSA 126-A:28 as inserted by section 1 of the bill by striking out the words "the director of the child guidance clinic in office on the effective date of this act shall continue in office, subject to the provisions of this chapter, as though initially appointed pursuant to the provisions hereof" in the eighth, ninth, tenth and eleventh lines and inserting in place thereof the words, the position of director of the child guidance clinic shall be a classified position, and said director in office on the effective date of this act shall continue in office subject to the provisions of the rules and regulations of the personnel commission with no reduction in salary or emoluments, so that said section as amended shall read as follows:

126-A:28 Commission of Mental Health Abolished. The commission of mental health established by RSA 135:35 is hereby abolished. The functions, powers and duties heretofore performed pursuant to RSA 135:36, 37 and 38, and laws of 1947, c. 279, shall henceforth be performed by the director, division of mental health in consultation with the advisory commission established by section 8 of this act. All of the books, records and other property of the commission of mental health are hereby transferred to the director, division of mental health. The position of director of the child guidance clinic shall be a classified position, and said director in office on the effective date of this act shall continue in office subject to the provisions of the rules and regulations of the personnel commission with no reduction in salary or emoluments.

Amend RSA 126-A:33 as inserted by section 1 of the bill by striking out the words "by the director of the division of public health services in consultation with the advisory commission" in the seventh and eighth lines and inserting in place thereof the words, by the advisory commission established herein, so that said section as amended shall read as follows:

126-A:33 Hospital Advisory Council Abolished; Transfer of Functions; Tenure. The hospital advisory council established pursuant to RSA 151:10 is hereby abolished. The tenure of its membership shall terminate upon the appointment and qualification of the director of the division of public health services, department of health and welfare. The functions, powers and duties heretofore performed by the hospital advisory council pursuant to RSA 151:11 and any other provisions of the statutes, shall henceforth be performed by the advisory commission established herein. All of the books, records and other property of the hospital advisory council are hereby transferred to the department of health and welfare, division of public health services.

Amend section 9 of said bill by adding at the end thereof the following words, The authority of the Governor and Council, to approve intra-departmental organization as set forth in paragraph II of RSA 126-A:2 as hereinbefore inserted, and approve the filling of vacancies in the classified service after July 1, 1961 as set forth in paragraph IV of RSA 126-A:2 as hereinbefore inserted, shall terminate as of June 30, 1963, so that said section as amended shall read as follows:

9 Authority of Governor and Council. Provided that if further regulations and designations are required by the federal government in connection with eligibility of the Department of Health and Welfare to receive and use federal funds heretofore available to the existing agencies hereby merged or funds to be available to the new department, the Governor and Council are hereby authorized to adopt such regulations and to make such designations with the approval of its appropriation committee for the sole purposes as may be required to effectively accomplish the purpose hereof. The authority of the Governor and Council, to approve intra-departmental organization as set forth in paragraph II of RSA 126-A:2 as hereinbefore inserted, and approve the filling of vacancies in the classified service after July 1, 1961 as set forth in paragraph IV of RSA 126-A:2 as heretobefore inserted shall terminate as of June 30, 1963.

A minority of the Committee on Executive Departments and Administration, HB 49, establishing a department of health and welfare and providing for the merger therein of certain departments and agencies within the state government. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act establishing a department of mental health and providing for the merger therein of certain departments and agencies within the state government.

Further amend the bill by striking out sections 1 through 9 inclusive and inserting in place thereof the following:

1 Department of Mental Health. Amend RSA by inserting after chapter 126 the following new chapter:

Chapter 126-A

Department of Mental Health

126-A:1 Declaration of Purpose. The purpose of this act is to establish an integrated administration of agencies of the state government having function and duties relating to mental health, making possible increased efficiency and economy through the merger of various existing departments and agencies of the state government.

126-A:2 General Provisions. I. The advisory commission created by this act shall meet not less than once within each quarter of each calendar year. Failure of a member to attend two consecutive such quarterly meetings shall be deemed a resignation from membership and the position vacant by operation of law.

II. Upon the recommendation of the commissioner of mental health, after consultation with the advisory commission, the governor and council are authorized to approve such intra-departmental organization as the governor and council find from time to time may improve or make more economical the administration of the department; provided, however, that no such change shall eliminate any then existing position within the classified service unless such position shall then be vacant or, if filled, its incumbent has been transferred to an equivalent or higher paid position of like tenure.

III. With the approval of the governor and council and of the personnel commission, the commissioner of mental health is authorized to transfer classified personnel, appropriations or portions thereof relating thereto, as well as necessary equipment, within the department; provided, however, that no such transfer shall eliminate the classified position transferred.

IV. Except as may be specifically provided to the contrary in this act, nothing herein shall imply nor be construed to eliminate any position in the classified service of the state nor to reduce existing salary or emoluments attendant upon any classified position affected by transfer or merger under this chapter. Vacancies in classified positions occurring after July 1, 1961 in any department functions to be transferred to the new department of mental health shall not be filled without the approval of the governor and council, provided that after written notification of vacancies to be filled are received by governor and council from department directors, and if no action is taken on these requests within 30 days, the director of the division concerned may fill such vacancy or vacancies forthwith. No permanent classified employee in the state service upon the effective date of this act shall be required to take an examination to remain in his position.

126-A:3 Department Established. There shall be a department of mental health under the executive direction of a commissioner of mental health to which shall be transferred to the extent and in the manner specified by the provisions of this act the commission on alcoholism, the New Hampshire state hospital, the Laconia state school, the children's study home and the New Hampshire child guidance and mental hygiene clinics.

126-A:4 Commissioner of Mental Health. Administrative and executive direction of the department of mental health shall be under the direction of a commissioner of mental health who shall be a physician-psychiatrist eligible for licensure as an M.D. in New Hampshire and who shall be appointed by the governor and council upon nomination by the advisory commission established by this chapter. He shall hold office for a term of five years from the date of his appointment and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department of mental health. Said authority shall include the power to establish departmental policy as well as to control the actual operations of the department.

126-A:5 Acting Commissioner; Appointment. The commissioner of mental health shall appoint one member of his staff who shall act in his stead when said commissioner is ab-

sent from the state and at such other times as he is so directed by the commissioner. When acting for the commissioner said person shall have all the powers, duties and authority of the commissioner.

126-A:6. Salary. The annual salary of the commissioner of mental health shall be as hereinafter provided. In addition to his salary the commissioner of mental health shall receive full maintenance.

126-A:7 Advisory Commission; Establishment. There shall be an advisory commission on mental health consisting of nine members appointed by the governor and council for a term of five years and until their successors shall be appointed and qualified. The advisory commission shall be comprised of one physician specializing in psychiatry, and one general practitioner or internist, each of the foregoing to be first nominated for appointment by the New Hampshire State Medical Society, one psychologist to be nominated for appointment by the New Hampshire Psychological Association, one social worker to be nominated for appointment by the New Hampshire chapter of the National Association of Social Workers, and five members-at-large to be nominated and appointed by the governor and council, having due regard for their individual background and interest in the field of mental health. Nominations to the governor and council shall be promptly submitted both with respect to initial and successor appointments as well as the filling of vacancies, to the end that there shall be the least possible period of less than full membership of the advisory commission. Whenever nominations to the governor and council from any sources are delayed for longer than a period of thirty days after receipt of notice from the secretary of state that the nomination is required, the governor and council are authorized to appoint without such nomination, but having due regard to the qualifications required of each appointee as set forth herein. Initial appointments by the governor and council shall be as follows: one member for one year, two members for two years, two members for three years, two members for four years and two members for five years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The commission shall have a chairman, who shall be designated by the governor from among its membership. The term of the chairman shall be for one year. He may be reappointed as chairman but for not more than three consecutive

years, and thereafter shall be ineligible to be chairman. The commission shall meet not less frequently than quarterly and at such other times as it may be convened by the call of the chairman, the call of the commissioner, and on the petition of any three members it shall be the duty of the chairman to convene the commission forthwith. Members of the commission shall receive no per diem but shall be entitled to expenses including mileage when in the performance of duties required by this act.

126-A:8 Advisory Commission; Duties. The advisory commission shall nominate for appointment by the governor and council, the commissioner of mental health. It shall serve in an advisory capacity to the commissioner and to the department of mental health. It shall make a continuing study of the problems of mental health in the state of New Hampshire, survey and examine the operations of the commissioner in meeting these problems and from time to time make recommendations to the commissioner regarding the activities and operations of the department. It shall submit to the governor and council in each October an annual report of the activities of the department, which report shall be a public document. From within its membership the commission shall establish boards of visitation of not less than three members each, for the Laconia state school, the New Hampshire state hospital and such other mental health facilities within the department as it may deem advisable. It shall be the duty of the members comprising each board of visitation to make inspection of their respective institutions, without previous notice, not less frequently than once each four months, and as often as each board may desire. Such inspections shall have particular regard for the care and treatment of patients therein. Findings and recommendations of each board of visitation shall be submitted to the full advisory commission as occasion may require, and where made shall be incorporated in the annual report of the advisory commission to the governor and council.

126-A:9 Additional Departmental Duties; Discretionary Assignment of Coordinator. The commissioner of mental health is authorized to establish within the department of mental health such administrative assignment of duties and responsibilities with respect to institutional services, educational and research services and community mental health services as he shall from time to time deem necessary and desirable, after first

consulting with and receiving the advice of the advisory commission. In the discretion of the commissioner, and with the approval of the advisory commission and of the governor and council, the commissioner is authorized to establish within the department of mental health an unclassified staff position of coordinator of community mental health services, research and education. In such event, the tenure of the coordinator shall be at the pleasure of the commissioner. The salary of the coordinator shall not exceed ten thousand dollars per annum, payment of which shall be from funds appropriated to the department not otherwise specifically appropriated.

126-A:10 Agency Regulations; Approval of Commissioner. After the effective date of this act, rules and regulations of all agencies of state government merged within or transferred to the department of mental health shall require the approval of the commissioner unless otherwise specifically provided therein, provided, however, that existing rules and regulations shall remain in full force and effect until and unless amended or otherwise affected by action of the commissioner pursuant to this section.

126-A:11 Treatment, Study, and Care of Inebriates; Transfer of. All powers, duties, functions, personnel, records and property of the commission on alcoholism pursuant to RSA 172, are hereby transferred to the department of mental health.

126-A:12 Commission on Alcoholism Abolished; Tenure of Commissioners. The commission on alcoholism established pursuant to RSA 172:3 is hereby abolished. The tenure of the members of the commission shall terminate upon the appointment and qualification of the commissioner of mental health.

126-A:13 New Hampshire State Hospital; Transfer of. All of the powers, duties, functions, personnel, records and property of the New Hampshire state hospital as a corporation established pursuant to RSA 135 are hereby as a corporation transferred to and vested in the department of mental health. Trust funds transferred hereby shall be managed, expended and invested by the commissioner of the department of mental health with the approval of the advisory commission and advice of the state treasurer.

126-A:14 New Hampshire State Hospital; Trustees Abolished; Transfer of Powers; Tenure. The board of trustees of

the New Hampshire state hospital established by RSA 10:2, is hereby abolished. The tenure of the members of the board shall terminate upon the appointment and qualification of the commissioner of the department of mental health. All of the powers, duties, records, property and functions of the board of trustees are hereby transferred to and vested in the commissioner of the department of mental health. Whenever reference is made to the board of trustees of the New Hampshire state hospital in any provision of the statutes, it shall henceforth be construed to mean the commissioner of the department of mental health.

126-A:15 New Hampshire State Hospital; Superintendent, Appointment and Tenure of. With the approval of the advisory commission the commissioner of mental health shall nominate for appointment by the governor and council, a superintendent of the New Hampshire state hospital. The superintendent shall be the executive head of the state hospital. The superintendent in office on the effective date of this act shall continue to hold office subject to the provisions hereof as though he had been initially appointed pursuant to the provisions of this section.

126-A:16 Commission of Mental Health Abolished. The commission of mental health established by RSA 135:35 is hereby abolished. The functions, powers and duties heretofore performed pursuant to RSA 135:36, 37 and 38, and laws of 1947, c. 279, shall henceforth be performed by the commissioner of mental health in consultation with the advisory commission established by section 8 of this act. All of the books, records and other property of the commission of mental health are hereby transferred to the commissioner of mental health. The director of the child guidance clinic in office on the effective date of this act shall continue in office, subject to the provisions of this chapter, as though initially appointed pursuant to the provisions hereof.

126-A:17 Laconia State School Trustees Abolished; Tenure. The board of trustees of the Laconia state school established by RSA 10:2 (supp) as amended by 1957, 146:3, is hereby abolished. The tenure of the members of the board shall terminate upon the appointment and qualification of the commissioner of mental health. Wherever the word "trustees" appears in RSA 171, as inserted by 1955, 314, it shall henceforth be construed to mean the commissioner of mental health.

126-A:18 Laconia State School; Superintendent. Upon nomination of the commissioner of mental health with the approval of the advisory commission, the governor and council shall appoint a superintendent of the Laconia state school who, subject to the control of the commissioner, shall have charge of the lands, buildings, furniture, tools, implements, stock provisions and other property of the institution. He shall keep, in suitable books, regular and complete accounts of all his receipts and expenditures, and of the debts, credits, contracts and property of the institution, showing its income and expenses, and shall account to the commissioner annually, and at such other times as he may require, for all money received and paid out by him. Such accounts shall be specific, containing the dates and amounts of all receipts, and the date, quantity and price of every article purchased or procured. There is specifically excepted from the foregoing such accounts and accountability as is required otherwise by the department of administration and control. The superintendent shall be a constant resident at the institution, and he and subordinate officers of the school, under his direction, shall have the custody and charge of the scholars therein, shall discipline, govern, instruct and employ them, and shall use their best endeavors to preserve their health, promote their improvement in such studies, trades, and employments as may be suited to their ages and capacities, and to secure the formation of moral, religious and industrious habits. The superintendent of the Laconia state school in office on the effective date of this chapter shall continue in office, subject to all the provisions of this chapter as though initially appointed pursuant to this section.

126-A:19 Laconia State School; Transfer of. The Laconia State school, established pursuant to RSA 171 (supp) as amended, with all of the powers, duties, functions, personnel, property and records of the board of trustees thereof, established by RSA 10:2 (supp) as amended by 1957, 146:3, is hereby transferred to and vested in the department of mental health.

2. Children's Study Home, Administration of Transferred. Amend RSA 134:1 by striking out said section and inserting in its place the following new section: 134:1 The provisions of this chapter shall be administered by the commissioner of mental health in consultation with the advisory commission. Whenever the word commission appears herein it shall be construed to mean the commissioner of mental health.

3 Transfer of Funds. Any funds provided in the appropriation acts for the year ending June 30, 1962 and the year ending June 30, 1963, relating to services and facilities transferred to the department of mental health are hereby deemed to be appropriated for the same purposes in the new department of mental health established herein. Provided, however, that specific sums appropriated for unclassified personnel, where the positions have been changed as to title and duties by this act or transferred by this act, shall be deemed to be appropriated for unclassified positions in the new department hereby created, as the governor and council shall approve.

4. Appropriation. In addition to other funds made available to the department of mental health there is hereby appropriated the sum of sixteen thousand eight hundred seventy-five dollars, or so much thereof as may be necessary, for the fiscal year ending June 30, 1962, and a like sum for the fiscal year ending June 30, 1963. Said sums shall be available for the salary of the commissioner of mental health. Said appropriation shall be a charge upon funds in the treasury not otherwise appropriated.

5 Salary. Amend RSA 94:1 (supp) as amended by 1955, 153:2; 321:1; 323:4, 6; 335:8; 1957, 90:1, 223:2; 274:4, 7; 315:2; 1959, 199:4; 268:12 by inserting in the proper alphabetical place the following salary:

	Minimum	Maximum
Commissioner of mental health	\$15,000	\$16,875
6 Repeal.		

I. RSA 133:1, 2 & 3, relative to the council of mental health are hereby repealed.

II. RSA 17:3 (supp) relative to superintendent of the Laconia state school is hereby repealed.

III. RSA 172:3, 4 and 5 relative to the commission on alcoholism are hereby repealed.

IV. RSA 10-A (supp) as inserted by 1957, 164, relating to the board of institutions, corrections and hospitals is hereby repealed.

V. RSA 10:2-a and 2-b, as inserted by 1957, 146, relating to trustees of the Laconia state school are hereby repealed.

7 Appropriation. The sum of one hundred thousand dollars is hereby appropriated to the department of mental health for implementation of the provisions of RSA 126-A:9. Upon the request of the commissioner, after consultation with the advisory commission and with the approval of the governor and council, transfer from this appropriation may be made to any appropriation within the department. This appropriation shall not lapse on June 30, 1962 but shall continue to be available for expenditures in the succeeding fiscal year. It shall be a charge upon any funds of the state not otherwise appropriated.

8 Definitions. Amend paragraph III of RSA 172:1 by striking out said paragraph and inserting in place thereof the following: III. 'Commission' means the department of mental health.

9 Authority of Governor and Council. Provided that if further regulations and designations are required by the federal government in connection with eligibility of the Department of Mental Health to receive and use federal funds heretofore available to the existing agencies hereby merged or funds to be available to the new department, the Governor and Council are hereby authorized to adopt such regulations and to make such designations as may be required to effectively accomplish the purpose hereof.

Edward H. York
Rebecca A Gagnon
Frank J. Grimes
Claude E. Dupont
William A. Cote

On motion of Mr. Hill of Littleton SB 49 was made a Special Order for Tuesday, May 9th.

Mr. Angus of Claremont moved that the order whereby HB 420, an act relative to unemployment compensation, was referred to the committee on Labor be vacated or discharged and that it be made a special order of business for 11:01 on Thursday next.

Mr. Angus of Claremont asked for a ruling from the Chair as to whether a simple majority or a two-thirds majority vote would be required on the preceding motion.

The Chair made the following parliamentary ruling:

The parliamentary situation in question to vacate or discharge a committee is not provided for by the Rules of the House. The Chair will state that the authorities disagree somewhat as to the vote necessary to discharge a committee. The most severe precedents demand unanimous consent. This reference may be found in Hinds' Precedents of the House of Representatives, Volume 4, page 983.

Demeter's Manual of Parliamentary Law and Procedure states the following: (Page 80)

To Discharge a Committee. After it has been voted to refer a matter to a committee, the assembly cannot consider a question involving substantially the same matter. Committees can be discharged when they fail to *perform* their duties or *neglect* to make reports, or when it is desired to take a matter out of their charge. The proper motion to use is to "discharge the committee from further consideration and action" on the question. Such a motion requires a two-thirds vote."

The Chair cannot find that the question has been resolved by a precedent set by the New Hampshire General Court.

It would be the ruling of the Chair that it will require a two-thirds vote to discharge a committee from further consideration of House Bill No. 420.

Mr. Pillsbury of Manchester spoke against the ruling.

Mr. King of Manchester spoke in favor of the ruling.

(discussion ensued)

Mr. Bowles of Portsmouth spoke in favor of the ruling.

Mr. Pappagianis of Nashua rose on a point of order.

Mr. Pickett of Keene questioned the ruling of the Chair, spoke on the question, and subsequently withdrew.

Mr. Pillsbury of Manchester questioned the ruling of the Chair and spoke against the ruling.

Mr. King of Manchester rose on a point of order.

Mr. Pillsbury of Manchester withdrew his question.

The Chair asked for the advice and council of the House on the ruling.

Mr. Pillsbury of Manchester then renewed his question on the ruling, and spoke against the ruling.

Mr. Willey of Campton spoke against the ruling.

Mr. Pillsbury of Manchester then withdrew his question on the ruling.

The Chair addressed the House on the procedural question.

Mr. Goode of Manchester spoke in favor of the ruling.

Mr. Karkavelas of Dover spoke in favor of the ruling.

Mr. King of Manchester spoke in favor of the ruling.

Mr. Chandler of Bartlett spoke in favor of the ruling.

The question being on the motion by Mr. Angus of Claremont that the order whereby HB 420 an act relative to unemployment compensation, was referred to the committee on Labor be vacated or discharged and that it be made a special order of business for 11:01 on Thursday next.

Mr. Pickett of Keene moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion prevailed.

The question now being on the motion by Mr. Angus of Claremont.

On a *viva voce* vote the motion was lost.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 101, prohibiting use of certain boats on Abbott Forest pond in Stoddard.

SB 121, relative to the tattooing of minors.

Senate Bills Read And Referred

SB 101, to Fish and Game.

SB 121, to Judiciary.

The Senate message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HJR 33, joint resolution in favor of the estate of Herbert Andrew Willard.

HB 117, relative to taxation of annuity premiums.

HB 149, relative to the salary of the justice and special justice of the Dover municipal court.

The Senate message further announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 269, relative to financing industrial waste treatment facilities.

Amend section 4 of said bill by inserting at the end thereof the words:

Such drains and sewers shall be substantially constructed of brick, stone, cement or other material adapted to the purpose, and shall be the property of the city.

On motion of Mr. Deans of Milford the House concurred in the amendments.

Resolutions

Mr. Bennett of Keene for the Keene Delegation offered the following resolutions:

Whereas, Edward E. Brown, Representative from Keene, is confined by illness to the Elliot Community Hospital in Keene, therefore be it

Resolved, that we, the members of the Delegation from the City of Keene, for ourselves and for the other members of this House of Representatives in General Court convened, do hereby express our sympathy in his illness and extend our best wishes for a speedy recovery to health, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Representative Brown.

On a *viva voce* vote the resolutions were unanimously adopted.

The Chair announced that today is the birthday of Mr. Guilbeault of Allenstown.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills, be by title only, third reading of resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House Bills and House Joint Resolutions were read a third time, passed, and sent to the Senate for concurrence:

HB 86, increasing the state guarantee of municipal bonds issued for water pollution projects.

HB 345, providing for control of aquatic nuisances on Lake Winnisquam.

HJR 1, providing an appropriation for the Civil War Centennial Commission.

HJR 13, authorizing a study of the operation of the milk control act.

HJR 15, providing funds for completion of forest conservation aid payments.

HB 393, relative to assessments by insurance firms.

HB 415, relative to fees for private boat registration.

HB 282, relative to the taxation of boats.

On motion of Mrs. St. Pierre of Rochester the House adjourned at 1:52 o'clock.

TUESDAY, MAY 9, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Hugh Q. Morton, of the First Baptist Church of Keene:

God of Love, in whom the whole family in heaven and earth is named, we praise You for the wisdom of Your creation, on all of which You looked and found it good. Give us eyes, we pray, to see the essential oneness of all humanity, and wills to seek no favor for ourselves which we would deny to others, lest we shut the door on You. Even as we desire that the words and decisions of this day should praise Your holy name, may they give new dignity to every citizen of our state, also, and reassurance to all mankind, for Your name's sake. Amen.

Pledge of Allegiance to the Flag

Mr. Marcoux of Nashua led the Convention in the Pledge of Allegiance to the Flag.

Senator Buckley from the 22nd District, for himself and the members from Derry, offered the following concurrent resolutions:

Whereas, the hero of the hour, Alan B. Shepard, Jr. is a native citizen of Derry, New Hampshire, and

Whereas, the entire nation and the world flew with him in this sensational flight of Friday last, in mind and in prayer, and

Whereas, New Hampshire has been duly honored by this outstanding feat of courage and skill, therefore be it

Resolved, by the Joint Convention that the Speaker of the House name a committee in such numbers as he deems advisable to confer with the Governor, the Adjutant General and the President of the Senate, that a day may be set aside for a state-wide celebration in recognition of this memorable and historic event, to be held at Concord on such a date as Commander Shepard and his family can make themselves available.

On a rising vote the concurrent resolutions were unanimously adopted.

Senator Buckley from the 22nd District, for himself and the members from Derry, offered the following concurrent resolutions:

Whereas, a great honor has come to the Town of Derry and to the State of New Hampshire when a native son, Commander Alan B. Shepard, Jr., became America's first Astronaut to be launched into space by the United States on his historic flight from Cape Canaveral, Florida, therefore be it

Resolved by the House of Representatives the Senate concurring that Commander Alan B. Shepard, Jr. be invited to address a Joint Convention of the Senate and House of Representatives.

On a rising vote the concurrent resolutions were unanimously adopted.

Senator Buckley from the 2nd District, for himself and the members from Derry, offered the following concurrent resolutions:

Whereas, The United States of America has substantiated its supremacy in space travel by placing in orbit the first manually controlled space rocket,

Whereas, astronaut, Commander Alan B. Shepard, Jr., of Derry, New Hampshire, being the first man in space travel, We, the General Court of the sovereign State of New Hampshire on the 9th day of May here assembled highly commend Commander Alan B. Shepard, Jr. for his courage and his devotion to the United States of America, for his conscientious desire to establish his country's supremacy in space travel, for his contribution to the scientific endeavors of his country and for the honor that he has brought to his birthplace, the town of Derry, New Hampshire. We hereby designate the birthplace of Commander Alan B. Shepard, Jr. as Spacetown, U.S.A. in his honor, and be it further

Resolved, that the courage, devotion and the pioneer spirit of astronaut, Commander Alan B. Shepard, Jr., shall be appropriately spread upon the historical records of the State of New Hampshire, that in his honor the State of New Hampshire shall hereafter be designated as the Fatherland of space travel and a portrait of Commander Alan B. Shepard, Jr. shall be placed among those of the honored men of New Hampshire notables.

Wesley Powell
Governor of the State of New Hampshire

Samuel Green
President of the New Hampshire Senate

Stewart Lamprey
Speaker of the New Hampshire House of Representatives

Frank T. Buckley
State Senator from District No. 22

On a rising vote the concurrent resolutions were unanimously adopted.

On motion of Senator Buckley from the 22nd District the Convention rose.

House

Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group of Republican ladies from Cheshire and Sullivan counties, courtesy of the Cheshire and Sullivan delegations.

A group of government students from Berwick Academy of South Berwick, Maine, courtesy of Mr. Green of Rollinsford.

A group of students of the 8th grade of the Sacred Heart Academy of Nashua, courtesy of the Nashua Delegation.

Leaves of Absence

Mrs. Brown of Sandwich and Mr. Crowley of Manchester were granted leave of absence for the week on account of illness.

Messrs. Pillsbury of Manchester and Rowell of Newport were granted leave of absence for the day on account of important business.

First and Second Reading of House Bills

HB 457, legalizing the proceedings of the annual school district meeting held in the town of Auburn on March 10, 1961 (Committee on Rules — Mrs. Griffin of Auburn) to Municipal and County Government.

HB 458, relative to the practice of law (King of Manchester) to Judiciary.

HB 459, providing for the acquisition of certain dams and water rights by the water resources board (Mulaire of Hooksett and Berringer of Woodstock) to Resources, Recreation & Development.

On motion of Mr. Deans of Milford printing of HB 457 was dispensed with.

Communication

The Chair announced the following communication received from the office of the Secretary of State:

STATE OF NEW HAMPSHIRE
Concord
May 4
1961

Wesley Powell
GOVERNOR

Mr. Speaker and the Honorable Members of the House of Representatives:

This is not a matter of life or death and neither is it an earth-shaking issue. Nevertheless, in all good conscience I must return to you herewith, without my signature, House Bill No. 234.

It is my understanding that our present statutes prohibit the solicitations frowned upon by House Bill No. 234 of any person who is a candidate for public office. To that law and the principle of it I subscribe fully. House Bill No. 234 extends the prohibition to those of us who have been elected to and are holding public office in federal, state, and county governments.

I cannot subscribe to the proposition of haling before our courts for the imposition of a \$100.00 fine persons who solicit contributions to worthwhile causes from elected public officials and public officials who make such contributions. It seems to me that by such legislation we would be cloaking ourselves with an immunity which is not available to the ordinary citizen. Furthermore, the bill as it reads certainly leaves in doubt our rights as individuals to contribute to worthwhile causes.

Most of us in public life are of limited financial means, and it is my own experience that solicitors for worthwhile causes are almost always understanding when they are told in all frankness that the occupation of public office does not carry with it the financial ability to contribute to every good cause brought to the attention of a public official and to every good person who approaches him. It is my position that from the standpoint of the relationship of public official and private citizen, as well as public official and worthy causes, each of us should stand on his own and speak for himself, refusing contributions either when we do not subscribe to the purpose of the cause or simply cannot afford to make a gift to it.

Most Respectfully,
Wesley Powell

The Clerk read the communication in full.

The question now being, shall the bill pass, notwithstanding the Governor's veto.

Mrs. Frizzell of Charlestown spoke in favor of the veto.

The roll was called as follows:

HB 234, prohibiting solicitations from candidates for election.

YEAS 14

ROCKINGHAM COUNTY: None.

STRAFFORD COUNTY: Grimes, Heald, Clark of Lee, Watson of Rochester.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

MERRIMACK COUNTY: McKay, London.

HILLSBOROUGH COUNTY: Ainley, Ecker, Lesmerises, Buckley.

CHESHIRE COUNTY: Totman, Clark of Harrisville, Desmarais, Miskelly.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: None.

COOS COUNTY: None.

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ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Spollet of Chester, Deming, Scott of Deerfield, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Spollett of Hampstead, Casassa, Hunter, Clark of Kingston, Shepard, Jenkins, Hislop, Sewall, Twardus, Cheney, Carter, Pinkham, McDaniel, Palmer, Driscoll, Bowles, Stafford, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 4; Ingraham, White of Portsmouth, Ward 5; Carkin, Cross, Langford, Greene of Rye, Magoon, Peever, Roulston, Felch, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, O'York, Fellows, Colbath, Richardson. Flanagan, Bevan, Littlehale, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Potvin, St. Pierre, Johnson of Rochester, Varney, Green of Rollinsford, Maloomian, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Robertson, Lacaille, Harkins, Ayre, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Thompson of Effingham, Blake, Taylor of Ossipee, Nickerson of Tamworth, Kurth, Fox, Chamberlain, Claflin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Hanson, Moore, Asby, Hutchinson, Allen of Concord, York, Davis of Concord, Henry, Audet, Gibson, Bingham, Seamans, Lovejoy, Peaslee, Quinn, Sanders, Barnard, Gove, Maxham, Newell of Concord, Welch, Jennings of Concord, Brown of Danbury, Stevens, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Carpenter, Broek, Mulaire, Thompson of Northfield, Plourde, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin of Bedford, Aucella, Farwell, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Pickering, Eaton, Brocklebank, Claveau, Gallagher, Provecal, Warren, Pettigrew, Geisel, Hart, Hayes, Cullity, Nolan, Linehan, Manning, Szelog, Clancy, Dupont, Healy of Manchester, Ward 6; O' Conner, Lafrance, Plante, Tessier, Compagna, Cote, Delisle, Healy of Manchester,

Ward 8; Cary, Morris, Belanger, Bergeron, Dumas, Lemay, Nalette, Allard, Chapdelaine, Daniel of Manchester, Rousseau, Gamache, Deans, Falconer, Hayward of Milford, Cole, Cooper, Milliken, Underhill, Dionne of Nashua, Ward 2; Rosedoff, Kirkorian, Brosnahan, Sullivan, Maynard, Dionne of Nashua, Ward 6; Boisvert, Chartrain, Mason, Bissonnette, Grandmaison, Lavallee, Sablusi, Bouthillier, Locke, Peabody, Peterson, Rice, Eastman of Weare, Draper.

CHESHIRE COUNTY: O'Neil, Gowing, Turner, Cournoyer, Keating, Terrill, Parker, Bennett, Faulkner, Pickett, Oliver, Allen of Rindge, Crain, Hackler, Congdon, Ballam, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Cann, Gaffney, Prudhomme, Angus, Campbell, Nahill, Barrows, Desnoyer, Guest, Williamson, Downing, Spalding, Merrifield.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Willey, Chandler of Canaan, Morse, Johnson of Franconia, Gage, Bowler, Hayward of Hanover, Low, Lamotte, Larty, Karsten, Adams of Lebanon, Beard, Coutermarsh, Demers, Porter, Whipple, Collyer, Burrill, Martin, Haskins, Cushman, Kinghorn, Bell, Barney, Avery, Anderson, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Sheridan, Vashaw, Fontaine, Gagnon, Ledoux, Marsh, Oakes, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Bushey, Potter of Northumberland, Converse, Brooks, Stinson.

(Mr. Craig of Manchester in the Chair)

(Speaker in the Chair)

and the Governor's veto was sustained.

Taken from the Table

SB 49, establishing a department of health and welfare and providing for the merger therein of certain departments and agencies within the state government.

The question being on the majority amendments.

Mr. Peterson of Peterborough spoke in favor of the amendments.

Mr. York of Concord moved that the report of the minority, Ought to Pass with amendments, be substituted for that of the majority and spoke in favor of the motion.

(discussion ensued)

Mr. Bowles of Portsmouth spoke against the motion.

(discussion ensued)

Recess

(Mr. Chandler of Bartlett in the Chair)

The question being on the motion to substitute the minority report for the majority report.

Mr. Dupont of Manchester spoke in favor of the motion.

Mrs. Roulston of Salem and Mr. MacIsaac of Laconia spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion did not prevail.

Mr. York of Concord requested a division.

75 members having voted in the affirmative and 183 having voted in the negative the motion to substitute was lost.

The question now being on the adoption of the amendments as offered by the majority of the committee.

On a *viva voce* vote the amendments were adopted.

Mr. O'York of Dover moved that SB 49 be indefinitely postponed and spoke in favor of the motion.

Mr. Aucella of Bennington spoke against the motion.

Mr. O'York of Dover demanded the Yeas and Nays and the roll was called as follows:

YEAS 62

STRAFFORD COUNTY: Leighton, Grimes, O'York.

BELKNAP COUNTY: Normandin.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Hanson, Lovejoy, McKay, Gilman of Franklin, Plourde.

HILLSBOROUGH COUNTY: Farwell, Gallagher, Provencal, Hayes, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Lafrance, Leclerc, Tessier, Compagna, Cote, Craig, Delisle, Healy

of Manchester, Ward 8; Hurley, Levasseur, Allard, Chapdelaine, Lesmerises, Rousseau, Falconer, Dionne of Nashua, Ward 2; Rosedoff, Belcourt, Brosnahan, Maynard, Marcoux, Boisvert, Mason, Bouthillier.

CHESHIRE COUNTY: Clark of Harrisville, Desmarais.

SULLIVAN COUNTY: Downing.

GRAFTON COUNTY: None.

COOS COUNTY: Fortier, Perrault, Sheridan, Dumont, Vashaw, Fontaine, Gagnon, Bushey, Stinson.

ROCKINGHAM COUNTY: Sewall, Twardus, Driscoll, Keefe.

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STRAFFORD COUNTY: Berry, Blanchette, Fellows, Stonemetz, Colbath, Richardson, Flanagan, Bevan, Heald, Littlehale, Drew, Clark of Lee, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Watson of Rochester, Potvin, St. Pierre, Johnson of Rochester, Varney, Green of Rollinsford, Maloomian, Habel, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Lord, Robertson, Lacaille, Harkins, Prescott, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Lamprey, Taylor of Ossipee, Nickerson of Tamworth, Kurth, Fox, Chamberlain, Claffin.

MERRIMACK COUNTY: Moore, Asby, Hutchinson, York, Davis of Concord, Henry, Audet, Gibson, Hancock, Bingham, Seamans, Peaslee, Quinn, Sanders, Barnard, Gove, Maxham, Newell of Concord, Welch, Brown of Danbury, Stevens, Dempsey, Carpenter, Broek, Mulaire, London, Thompson of Northfield, Thibeault, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin of Bedford, Aucella, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Taft, Pickering, Eaton, Brocklebank, Claveau, Warren, Ainley, Lang, Geisel, Goode, Mahony, Hart, Martel, Casey, Clancy, Dupont, Healy of Manchester, Ward 6; O'Conner, Plante, Cary, Morris, Belanger, Bergeron, King, Du-

mas, Lemay, Nalette, Daniel of Manchester, Gamache, Vachon, Deans, Hayward of Milford, Cooper, Milliken, Underhill, Kirkorian, Sullivan, Pappagianis, Dionne of Nashua, Ward 6; Chartrain, Bissonnette, Bouley, Grandmaison, Lavallee, Sablowski, Locke, Karnis, Peabody, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Turner, Stearns, Cournoyer, Keating, Terrill, Parker, Bennett, Faulkner, Miskelly, Kretowicz, Oliver, Allen of Rindge, Crain, Hacker, Congdon, Ballam, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Cann, Gaffney, Prudhomme, Angus, Campbell, Barrows, D'Amante, Desnoyer, Guest, Weber, Williamson, Bailey, Vaughan, Spalding, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Willey, Chandler of Canaan, Morse, Johnson of Franconia, Gage, Bowler, Hayward of Hanover, Low, Neale, LaMott, Larty, Karsten, Adams of Lebanon, Beard, Coutermarsh, Demers, Porter, Whipple, Collyer, Burrill, Martin, Haskins, Cushman, Kinghorn, Bell, Loizeaux, Barney, Avery, Bradley, Anderson, Berringer.

COOS COUNTY: Ledoux, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Potter of Northumberland, Converse, Brooks, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Casassa, Hunter, Clark of Kingston, Shepard, Jenkins, Hislop, Cheney, Carter, Pinkham, McDaniel, Palmer, Bowles, Murch, Stafford, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 4; Ingraham, White of Portsmouth, Ward 5; Carkin, Cross, Langford, Greene of Rye, Magoon, Roulston, Felch, Barker, Waterhouse.

PAIRS

Mr. Ecker of Manchester voting Yes, paired with Mr. Hill of Littleton voting No.

and the motion to indefinitely postpone was lost.

Mr. Bragg of Lancaster offered the following amendment:

Amend RSA 126-A:8 as inserted by section 1 of the bill by striking out the words "and four members-at-large" where they occur and inserting in place thereof the words, one pharmacist to be nominated for appointment by The New Hampshire Pharmaceutical Association, and three members-at-large, so that said section as amended shall read as follows: 126-A:8 Advisory Commission; Establishment. There shall etc.

The Clerk read the amendment in full.

Mr. Bragg spoke in favor of the amendment.

Mr. MacIsaac of Laconia spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

The Chair referred SB 49 to the committee on Appropriations under the rules.

Miss Loizeaux of Plymouth for the Committee on Appropriations, HB 19, providing funds for the perambulation of the Maine-New Hampshire boundary line. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bell of Plymouth for the Committee on Finance, SJR 5, in favor of Berton B. Hiller. Ought to pass.

On a *viva voce* vote the Senate Joint Resolution was ordered to a third reading.

Mrs. Palmer of Plaistow for the Committee on Finance, HJR 26, in favor of Priscilla Morneau. Ought to pass with amendment.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of one thousand dollars is hereby appropriated to reimburse Priscilla Morneau for expenses due to injury at White Lake State Park on July 17, 1960. The appropriation hereunder shall be a charge upon the funds of the Recreation Division of the Forestry and Recreation Commission.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Palmer of Plaistow for the Committee on Finance, HB 71, providing for a bounty on wolves. Ought to pass with amendment.

Amend section 1 of said bill by inserting after the word "prairie wolf" in the third line the words, and further amend said section by striking out the word "twenty" in the eleventh line and inserting in place thereof the word, ten; and further amend said section by striking out the word "twenty" in the fourteenth line and inserting in place thereof the word, ten, so said section as amended shall read as follows:

1 Bounties. Amend RSA 470:5 by inserting after the word "lynx" where it occurs in the second and in the eleventh lines the words, or timber wolf, or prairie wolf, and further amend said section by striking out the word "twenty" in the eleventh line and inserting in place thereof the word ten, so that said section as amended shall read as follows: 470:5 Bobcats and Lynxes, Timber Wolves, Prairie Wolves. Any person who shall kill in this state any wildcat of the species known as bobcat, or lynx, or timber wolf, or prairie wolf, may deliver the carcass thereof, in the same condition as when killed, to any conservation officer or the director, with a sworn statement that it was killed in this state within forty-eight hours, and giving the date and place of the killing thereof, and upon request, shall accompany the conservation officer to the precise spot where the same was killed. Said conservation officer shall thereupon report to the director, who, being satisfied that the same was killed in this state, shall certify the killing to the governor. The governor is hereby authorized to draw his warrant upon the fish and game fund for the payment of ten dollars for each bobcat or lynx, or timber wolf, or prairie wolf so killed, reported and certified. The ears of such animal shall be punched by said conservation officer with a punch to be furnished to him for the purpose by the director. If the animal is a lynx, the carcass with the pelt thereon shall be returned to its killer. If the animal is a bobcat, the officer shall cause the skin to be removed from the carcass and shall forward the skin to the director. The director shall sell such skins and return all moneys received therefor to the state treasurer to be credited to the fish and game fund.

On motion of Mr. Spalding of Plainfield, reading of the amendment was dispensed with.

Mr. Spalding explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Palmer of Plaistow for the Committee on Finance HJR 22, in favor of Florence Pushee. Ought to pass with amendment.

Amend the joint resolution by striking out all after the word "beaver" in the fifth line and inserting in place thereof the words, Said sum appropriated shall be a charge upon the fish and game fund, so that said joint resolution shall read as follows:

That the sum of eight hundred and seventy-five dollars is hereby appropriated to reimburse Florence Pushee for medical and hospital expenses which she incurred because of an accident November 1, 1959, due to cave-in of a bridge caused by beaver. Said sum appropriated shall be a charge upon the fish and game fund.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the House Joint Resolution was ordered to a third reading.

Mrs. Palmer of Plaistow for the Committee on Finance. HJR 31, in favor of Nathan and Leona Mace. Ought to pass.

On a *viva voce* vote the House Joint Resolution was ordered to a third reading.

Mrs. Palmer of Plaistow for the Committee on Finance. HJR 28, relative to operation and maintenance of Fort Dearborn state park. Ought to pass.

On a *viva voce* vote the House Joint Resolution was ordered to a third reading.

Mrs. Palmer of Plaistow for the Committee on Finance. HJR 24, in favor of certain persons in the town of Sanborn-ton. Inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 339, relative to marking fishing holes cut in ice on Great Bay. Ought to pass with amendment.

Amend section 1 of the bill by striking out in the fourth line the words "larger than one hundred twelve square inches in area," so that said section as amended shall read as follows:

3 Ice Fishing. Amend RSA 211 by inserting after section 17-b (supp) as inserted by 1959, 306:3 the following new section: 211:17-c Marking Fishing Holes in Ice on Great Bay. Whoever by himself or others cuts a fishing hole in the ice on Great Bay and leaves the same unattended, unless covered by a bob house, without first marking the same with a stake extending at least eighteen inches above the ice shall be fined not more than twenty-five dollars.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 342, relative to taking salmon through the ice. Inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 163, in new draft, relative to free fish and game licenses for resident members of the armed forces. Ought to pass, in new draft.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game. HB 410, providing for training in safe handling of firearms by certain minors. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game. HB 50, relative to special fish and game licenses for non-resident members of the armed forces of the United States. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game. HB 172, relating to issuance of duplicate fish and game licenses. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary. HB 200, to redistrict the state for the purpose of choosing representatives in Congress. Refer to the Legislative Council for study.

Mr. Bowles of Portsmouth moved that HB 200 be recommended to the Judiciary committee and subsequently withdrew his motion.

On a *viva voce* vote the recommendation of the committee was adopted.

Mrs. Frizzell of Charlestown for the Committee on Judiciary, HB 178, to prohibit discrimination in places of public accommodation. Ought to pass with amendment.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Places of Public Accommodation. Amend RSA 354:1 by striking out the words "issue or cause to be issued any circular, publication, advertisement or notice intended or calculated to discriminate against any religious sect, class or nationality, or against any members thereof" in lines one, two, three and four, and inserting in place thereof the words, discriminate against persons of any race, creed, color, ancestry or national origin, so that said section as amended shall read as follows: 1. Discrimination. No person shall directly or indirectly discriminate against persons of any race, creed, color, ancestry or national origin, as such, in the matter of board, lodging or accommodation, privilege or convenience offered to the general public at places of public accommodation.

On a *viva voce* vote the amendment was adopted.

Mr. Plumer of Bristol moved that HB 178 be indefinitely postponed and spoke in favor of the motion.

(Speaker in the Chair)

Mrs. Frizzell of Charlestown and Miss Faulkner of Keene and the Messrs Heald of Durham, Normandin of Laconia, Martel of Manchester, King of Manchester, Hancock of Concord and Craig of Manchester spoke against the motion.

Miss Collyer of Lisbon and Messrs Jenkins and New Castle, Hunter of Hampton and Rice of Peterborough spoke in favor of the motion.

Mr. Hambleton of Goffstown moved the previous question and it was sufficiently seconded.

Mr. King of Manchester demanded the Yeas and Nays, and the roll was called as follows:

YEAS 130

HILLSBOROUGH COUNTY: Bragdon, Edwards, Farwell, Jennings of Goffstown, Nickerson of Goffstown, Brocklebank, Warren, Nolan, Manning, Deans, Falconer, Locke, Rice.

CHESHIRE COUNTY: Gowing, Stearns, Parker, Oliver, Allen of Rindge, Hackler, Congdon, Ballam, Galloway, Frost, Sawyer.

SULLIVAN COUNTY: Merrifield.

GRAFTON COUNTY: Gilbert, Stevenson, Plumer, Willey, Chandler of Canaan, Morse, Gage, Lamott, Larty, Beard, Collyer, Burrill, Martin, Haskins, Bell, Loizeaux, Avery, Bradley, Anderson, Berringer.

COOS COUNTY: Marsh, Oakes, Emerson, Graham, Kimball of Jefferson, Converse, Brooks.

ROCKINGHAM COUNTY: Scott of Deerfield, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingstons, Collishaw, Spollett of Chester, Weeks, Hunter, Shepard, Jenkins, Sewall, Cheney, Carter, McDaniel, Palmer, Osborn, White of Portsmouth ward 5, Magoon, Barker.

STRAFFORD COUNTY: Berry, Leighton, Stonemetz, Richardson, Littlehale, Drew, Adams of Madbury, Rolfe, Marsan, Maxfield, Johnson of Rochester, Varney, Green of Rollinsford.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Robertson, McCarthy, Ayre, Prescott, Stothart, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CAROLL COUNTY: Chandler of Bartlett, Hill of Conway, Thompson of Effingham, Blake, Taylor of Ossipee, Nickerson of Tamworth, Kurth, Chamberlain.

MERRIMACK COUNTY: Keneval, Hanson, Moore, Asby, Hutchinson, Allen of Concord, Davis of Concord, Gibson, Sea-

mans, Peaslee, Barnard, Maxham, Newell of Concord, Brown of Danbury, McKay, Stevens, Gilman of Franklin, Charland, Mulaire, Brewster, Tarrant.

NAYS 217

HILLSBOROUGH COUNTY: Wiggin of Bedford, Bartlett, Hambleton, Eaton, Claveau, Gallagher, Provencal, Ainley, Lang, Pettigrew, Geisel, Goode, Hart, Hayes, Martel, Burke, Linehan, Szelog, Walsh, Casey, Clancy, Dupont, Healy of Manchester, ward 6, O'Conner, Lafrance, LeClerc, Plante, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, ward 8, Cary, Morris, Belanger, King, Hurley, Noel, Dumas, Lemay, Levasseur, Nalette, Allard, Chapdelain, Daniel of Manchester, Lesmerises, Rousseau, Gamache, Vachon, Hayward of Milford, Cooper, Underhill, Dionne of Nashua, ward 2, Rosedoff, Belcourt, Kirkorian, Brosnahan, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, LaVallee, Sablusi, Bouthillier, Karnis, Peabody, Peterson, Eastman of Weare, Draper.

CHESHIRE COUNTY: O'Neil, Turner, Clark of Harrisville, Cournoyer, Desmarais, Keating, Terrill, Faulkner, Kretowicz, Pickett, Crain, Wildey.

SULLIVAN COUNTY: Bascomb, Frizzell, Cann, Gaffney, Prudhomme, Angus, Campbell, Nahill, Barrows, D'Amante, Desnoyer, Guest, Weber, Williamson, Bailey, Downing, Vaughan, Spalding, DeLude.

GRAFTON COUNTY: Paquette, Johnson of Franconia, Bowler, Hayward of Hanover, Low, Neale, Karsten, Adams of Lebanon, Coutermarsh, Demers, Porter, Whipple, McGee, Cushman, Kinghorn, Barney.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontain, Gagnon, Ledoux, Shute, Bushey, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Deming, Hackett, Eastman of Exeter, Purington, Tufts, Wylie, Spollett of Hampstead, Casassa, Clark of Kingston, Hislop, Twardus, Driscoll, Keefe, Bowles, Murch, Stafford, Dame, Chandler of Portsmouth, White of Portsmouth,

ward 4, Ingraham, Carkin, Langford, Greene of Rye, Roulston, Felch, Waterhouse.

STRAFFORD COUNTY: Blanchette, Grimes, O'York, Fellows, Colbath, Flanagan, Bevan, Heald, Gilman, Clark of Lee, Reid, Watson of Rochester, Potvin, St. Pierre, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Matheson, Lord, Lacaillade, Normandin, Dulac, O'Shan.

CARROLL COUNTY: Roberts, Fox, Claflin.

MERRIMACK COUNTY: Guilbeault, Phelps, York, Henry, Audet, Hancock, Bingham, Lovejoy, Quinn, Sanders, Gove, Jennings of Concord, Dempsey, Carpenter, Broek, London, Thompson of Northfield, Plourde, Thibeault, Keith, Bigelow. and the motion to indefinitely postpone was lost.

The question now being, shall the bill be read a third time.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Gove of Concord for the Committee on Judiciary. HB 284, relating to reaching bank accounts by trustee process. Refer to the Judicial Council for study and report to next session of the Legislature.

On a *viva voce* vote the recommendation was adopted.

Mr. Normandin of Laconia for the Committee on Judiciary. HB 421, declaring any community antenna television system to be a public utility and prohibiting such public utility from selling or servicing certain appliances. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Gove of Concord for the Committee on Judiciary. HB 434, relative to selection of public utilities commissioners. Inexpedient to legislate.

Mr. Hancock of Concord moved that HB 434, be made a Special Order of business for Tuesday next at 11:01 and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mrs. Davis of Conway for the Committee on Municipal and County Government. HB 438, legalizing the proceedings of the annual school district meeting held in the town of Antrim on March 13, 1961. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Gowing of Dublin for the Committee on Municipal and County Government. HB 433, legalizing the proceedings of the annual school district meeting held in the town of Northwood. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Desmarais of Jaffrey for the Committee on Municipal and County Government. SB 124, to validate the annual meeting of Allenstown school district. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. O'Shan of Laconia for the Committee on Public Welfare and State Institutions. SB 113, relative to foster day care homes. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Green of Rye for the Committee on Education. HB 210, relative to cooperative school districts. Ought to pass with amendment.

Amend the bill by striking out everything after the enacting clause and inserting in place thereof the following:

1 Procedure. Amend RSA 195:3 (supp) as amended by 1955, 334:7 by adding at the end thereof the following new paragraph: III. When a school district has voted to petition the state board to become a part of a cooperative school district there shall be no further action taken by said school district until the state board has acted upon the petition.

2 Number of Members of Cooperative School Board. Amend the first paragraph of paragraph II of RSA 195:4 by striking out the words "or nine" in the third line and inserting

in place thereof the following words, nine or as many more to a limit of fifteen as shall be necessary to make it possible for each pre-existing district to have at least one member, so that said first paragraph of paragraph II as amended shall read as follows:

II. Election of Officers. The first cooperative school board shall be elected at the organization meeting. Whether the number of members of the cooperative school board shall be five, seven, nine or as many more to a limit of fifteen as shall be necessary to make it possible for each pre-existing district to have at least one member, shall be determined by the voters at this meeting, before the election takes place. The school boards of the pre-existing districts shall make, post and correct a list of the legal voters in the district as supervisors are required to do and such lists shall be checked at the election of officers at this organization meeting. All school board members at this meeting and at subsequent annual district meetings shall be elected so as to insure each school district forming a part of the cooperative school district a member of the cooperative school board. Other member shall be elected at large or as determined by the voters. The first cooperative school board shall be elected by ballot by plurality vote of those qualified voters present and voting. The board member receiving the largest number of votes shall be elected for the longest term of office as adopted by the district with other members receiving their term of office in the same manner. Subsequent elections of school board members and the moderator shall be in accordance with the non-partisan ballot system provided for in RSA chapter 59.

3 Election and Terms of Office of Members of Cooperative School Board. Amend RSA 195:4 by inserting after paragraph II the following new paragraph: II-a Notwithstanding any provision of paragraph II; (1) The voters of each pre-existing district may elect one member of the cooperative school board. A candidate shall file with the clerk of his school district seven days before the date of the organization meeting. Each clerk shall cause to be prepared a ballot, bearing the name of the district and which may be of distinctive color, listing the candidate or candidates, and providing space for a write-in; (2) If there are to be more board members than the number of pre-existing school districts, these members at large shall be

elected, upon nomination from the floor, after the elections of the members representing the separate districts have been announced. Election shall be by plurality vote of those qualified voters present and voting. Those elected shall take office on adjournment of the meeting; (3) The term of office for a school board member shall be three years except that at the organization meeting, as nearly as possible, one-third shall be elected for one year, one-third for two years, and one-third for three years. In the case of a five-member board, one shall be elected for one year; of a seven-member board, three shall be elected for one year; of a ten-member board, four shall be elected for one year; of an eleven-member board, three shall be elected for one year. For the larger districts the formula remains proportionately the same. The candidates receiving the largest number of votes shall have the longest terms of office.

4 Apportionment of Costs of Capital Outlay and Operation. Amend RSA 195:7 (supp) as amended by 1955, 334:9 and 1959, 195:1 by adding at the end thereof the following new paragraph: III. Some other formula offered by the cooperative school board, adopted by the cooperative school district and approved by the board.

5 Budget Committee. Any cooperative school district may at any annual meeting under a proper article in the warrant vote to establish a cooperative school budget committee and may rescind such action in like manner. The membership on said committee shall be determined on the basis of the annual amount contributed by each preexisting or component district for the expenses of the cooperative district. There shall be one member of the budget committee for the smallest contributor to the cooperative district and the membership from other districts shall be in proportion to their respective contributions, excluding the fractional parts. If the component districts continue to have their own annual school meetings the members of said committee shall be elected at said meetings. In all other cases the members of said committee from each preexisting district shall be elected at the annual cooperative school district meeting.

6 Powers and Duties. Such cooperative school budget committee shall have the powers and duties of the municipal budget committee under the provisions of RSA 32 in so far as the budget for the cooperative school district is concerned.

7 Takes Effect. This act shall take effect sixty days after its passage.

Mr. Chandler of Bartlett moved that HB 210 be made a Special Order of Business on Tuesday next at 11:02 and spoke in favor of the motion.

On a *viva voce* vote, the motion prevailed.

Taken From The Table

SB 45, providing special licenses for lounges at municipal airports. The question being on the committee amendment.

Mr. Hart of Manchester moved that SB 45 be made the first order of business for Thursday next and spoke in favor of the motion.

Mr. Angus of Claremont spoke in favor of the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Hart of Manchester requested a division.

The division vote being manifestly in the affirmative SB 45 was made the First Order of Business for Thursday next.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolution:

HB 117, relative to taxation of annuity premiums.

HB 352, relative to appeals for permanent state employees.

HB 401, relative to cooperative arrangements between towns for public recreational facilities.

HJR 33, in favor of the estate of Herbert Andrew Willard.

SB 105, relative to petitions for injury under the sexual psychopath act.

Announcement

The Chair announced that today is the 39th birthday of Mr. Rosedoff of Nashua.

Senate Messages

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 116, in favor of Milo H. Cheney.

SB 127, providing for the removal of names from check-lists in certain cases.

Senate Messages Read And Referred

SB 116, to Finance.

SB 127, to Executive Departments and Administration.

Mr. O'Neil of Chesterfield for the committee on Education offered the following resolutions:

Whereas, Mary Senior Brown, Representative from Sandwich, is confined to the Laconia Hospital with injuries sustained in an automobile accident, therefore be it

Resolved, that we, the members of the House of Representatives of the General Court of New Hampshire, extend our sympathy to our Fellow Member in her illness and our best wishes for a speedy recovery to health, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Representative Brown.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Maxham of Concord for the committee on Public Welfare and State Institutions offered the following resolutions:

Whereas, Arthur J. Vincent, Representative from Somersworth, is ill in Glenclyff Sanatorium, therefore be it

Resolved, that we, the members of the Committee on Public Welfare and State Institutions, for ourselves and for the members of the House of Representatives of the General Court of New Hampshire, extend our sympathy to our Fellow Member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Representative Vincent.

On a *viva voce* vote the resolutions were unanimously adopted.

Communications

The House received the following communications:

Fremont, New Hampshire
May 8, 1961

Mr. Stewart Lamprey
Speaker of the House
State House
Concord, New Hampshire

Dear Mr. Lamprey:

Would you please inform the House of Representatives that my father, R. W. Potter, Rep. of Milan, N. H. is at the Mary Hitchcock Hospital in Hanover, N. H.

His operation was a complete success and his recovery is progressing remarkably well at this time.

I'm sure he would appreciate any cards his fellow colleagues would send him to help boost his morale.

Thanking you

Sincerely,

Carl W. Potter

Dear Mr. Speaker,

May we express our sincere appreciation for the many group and personal considerations given our recent anniversary celebration. Such thoughtfulness made it a day we shall cherish among our memories for many years.

Sincerely,

Mr. and Mrs. John B. Mulaire

Hooksett, N. H.

May 5, 1961

On motion of Mr. Barnard of Concord the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit the third reading of bills by title only and the third reading of resolutions by caption only, and that when the House adjourns today it be in honor of Commander Alan Shepard, Jr., and to meet at 11:00 o'clock tomorrow morning.

Third Readings

The following House bills and House Joint Resolutions were severally read a third time, passed, and sent to the Senate for concurrence:

HB 19, providing funds for the perambulation of the Maine-New Hampshire boundary line.

HJR 26, in favor of Priscilla Morneau.

HB 71, providing for a bounty on Wolves.

HJR 22, in favor of Florence Pushee.

HJR 31, in favor of Nathan and Leona Mace.

HJR 28, relative to operation and maintenance of Fort Dearborn state park.

HB 339, relative to marking fishing holes cut in ice on Great Bay.

HB 163, relative to free fish and game licenses for resident members of the armed forces.

HB 410, providing for training in safe handling of firearms by certain minors.

HB 50, relative to special fish and game licenses for non-resident members of the armed forces of the United States.

HB 172, relating to issuance of duplicate fish and game licenses.

HB 178, to prohibit discrimination in places of public accommodation.

HB 438, legalizing the proceedings of the annual school district meeting held in the town of Antrim on March 13, 1961.

HB 433, legalizing the proceedings of the annual school district meeting held in the town of Northwood.

The following Senate Joint Resolutions and Senate Bills were severally read a third time, passed, and sent to the Secretary of State to be engrossed:

SJR 5, in favor of Berton B. Hiller.

SB 124, to validate the annual meeting of Allenstown School District.

SB 113, relative to foster day care homes.

On motion of Mrs. Lord of Gilford the House adjourned in honor of Commander Alan Shepard, Jr., at 4:41 o'clock.

WEDNESDAY, MAY 10, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, George Pennington, as follows:

O Lord, New Hampshire's Alan B. Shepard, Jr. of Derry has brought both exultation and wonder to our hearts. We know that the courage and skill which he exhibited was the climaxing act of a great group effort, embodying technical knowledge and the united dedication of many men and women. Once more, with the esteem of the free world in jeopardy and morale ridden with anxiety, a free people, united by integrity and shared concern for human freedoms, have risen to the challenge. This day, around the world men are reminded once more of the strength of the people of truth and human dignity.

So, we are grateful. We are gratified that from our Granite State could arise one who stands this day as a symbol of free men, piercing the barriers of the unknown, willing to do and

to dare in expanding the reaches of life, motivated in their hearts by the faith that what is right and good shall be. Amen.

Pledge of Allegiance to the Flag

Mr. Varney of Rochester led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of students from Lisbon High School.

Leaves of Absence

Mr. Pinkham of Northwood was granted leave of absence for the day on account of important business.

Messrs. Bowler of Hanover and Vachon of Manchester were granted leave of absence for today and tomorrow on account of important business.

First and Second Reading of House Bills

HB 460, relative to taxation of railroads (Coutermarsh of Lebanon) to Ways and Means.

HJR 36, in favor of Fred Lahaye (Coutermarsh of Lebanon) to Finance.

Mr. Gay of Derry moved that the rules of the House be so far suspended as to allow the introduction of a bill not previously passed by the Rules committee.

The Clerk read the bill in full.

HB 461, naming an interstate highway.

1 Alan B. Shepard, Jr. Highway Named. That portion of the interstate highway 93 beginning at the traffic circle at Bridge street in Concord and extending to the Massachusetts connection shall be known as the Alan B. Shepard, Jr. Highway.

2 Takes Effect. This act shall take effect upon its passage.

Mr. Gay of Derry and Mr. King of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Introduction of a Bill

HB 461, an Act naming an interstate highway, was read a first and second time, laid on the table for printing and referred to the committee on Public Works.

On motion of Mr. Galloway of Walpole the rules of the House were so far suspended as to dispense with the printing, committee reference and public hearing on HB 461.

On a *viva voce* vote the motion was adopted.

On motion of Mr. Galloway of Walpole the rules of the House were so far suspended as to place HB 461 on third reading and final passage by title only at the present time.

Third Reading

HB 461, naming an interstate highway, was read a third time, passed, and sent to the Senate for concurrence.

Committee Reports

Mr. O'Neil of Chesterfield for the Committee on Education, HB 279, relative to supervisory unions and teacher consultants.

Ought to pass with amendment.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Teacher Consultants. Amend paragraph XXII of RSA 186:11 by striking out said paragraph and inserting in place thereof the following: XXII. Superintendents; Assistant Superintendents; Teacher Consultants. Upon consultation with the local school boards in each supervisory union, and upon the nomination of said school boards of a suitable and competent person, employ such person as superintendent. It may employ by the same method one or more assistant superintendents or teacher consultants when that is reasonably necessary, and may remove a superintendent or assistant superintendent or teacher consultant when the interests of the schools require it.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Definition. Amend paragraph XXIV of RSA 186:11 (supp) as amended by 1957, 252:1, by striking out said paragraph and inserting in place thereof the following: XXIV. Teacher Consultant as referred to in paragraph XXIII, is defined as a teacher with specific training and experience which will enable her, or him, to give helpful advice, counsel and assistance to teachers, pupils and parents of a school system as a constructive means of improving the educational growth and development of children, solving pupil problems of retardation and maladjustment, adopting the program of studies to meet the needs of the children and the community, bringing resources outside of the school to class room teachers, pupils, parents and community and in general acting as a consultant to the entire staff and community in the recognition of the educational needs. All teacher consultant positions hereinafter established shall be only after a majority of the school districts in the supervisory union representing not less than eighty-five percent of the total pupils in the supervisory union have voted favorably upon the establishment of the position.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 Inclusions. Amend RSA 189:47 by striking out said section and inserting in place thereof the following: 189:47 Budget. At a meeting held before January first of each year the supervisory union board shall adopt a budget required for the expenses of the supervisory union for the next fiscal year, which budget may include the salary and expenses of supervisors of health, physical education, music, art and guidance, and any other employees, and expenses necessary for the operation of the supervisory union. The regularly employed office personnel of the supervisory union office shall be deemed employees of the union in so far as payment of salaries and contributions to the employees retirement system of the state of New Hampshire are concerned. The supervisory union board shall apportion the total amount of the budget among the constituent school districts on the following basis, provided that each district shall be required to pay for only those services in which they share. The basis for the apportionment shall be one-half on the average membership for the previous school year and one-half on the equalized valuation of the district. Prior to January fifteenth in each year, the board shall certify

to the chairman of the school board of each constituent school district the amount so apportioned. Each district within a supervisory union shall raise at the next annual district meeting the sum of money apportioned to it by the supervisory union board for the expenses of services which each district received in connection with the union office. The provisions of this section shall not apply to supervisory unions comprising only one district. The supervisory union board in adopting the budget shall not add any new service to the supervisory union budget unless a majority of the school districts in the supervisory union representing not less than eighty-five per cent of the total pupils in the supervisory union have voted favorably upon the establishment of the service. A vote to accept a new service shall not be construed as a vote to raise and appropriate money within the meaning of RSA 197:3.

Further amend the bill by inserting after section 7 the following new section:

8 Liability Insurance. Amend RSA 412:3 by inserting after the words "school district" in the third line the words, supervisory union, so that said section as amended shall read as follows: 412:3 Procured by Governmental Agency. It shall be lawful for the state or any municipal subdivision thereof, including any county, city, town, school district, supervisory union or other district, to procure the policies of insurance described in section 1 of this chapter. In any action against the state or any municipal subdivision thereof to enforce liability on account of a risk so insured against, the insuring company or state or municipal subdivision thereof, shall not be allowed to plead as a defense immunity from liability for damages resulting from the performance of governmental functions, and its liability shall be determined as in the case of a private corporation. Provided, however, that liability in any such case shall not exceed the limits of coverage specified in the policy of insurance, and the court shall abate any verdict in any such action to the extent that it exceeds such policy limit.

Further amend said bill by renumbering section 8 to read 9.

On a *viva voce* vote the amendments were adopted and the bill was ordered to a third reading.

Mr. Deans of Milford for the Committee on Municipal and County Government, HB 135, requiring county commissioners

to obtain written authority from executive committee for appropriations transfers.

Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following: An act relative to powers of county convention over appropriation transfers.

Further amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Appropriations Transfers. Amend RSA 24:14 by adding at the end thereof the words, the county convention may require that the county commissioners obtain written authority from the executive committee before transferring any appropriation or part thereof under the provisions of section 15, so that said section as amended shall read as follows: 24:14 Appropriations. Appropriations by the county convention shall itemized in detail and a record thereof shall be kept by the clerk of the convention. The executive committee of the county shall have authority to review the expenditures of the county after adoption of the county budget. Such review may occur as often as voted by the executive committee, but no less than quarterly each year. The convention may require the county commissioners to report once each quarter to the convention or to the executive committee, the expenditures of the county as compared to the budget as voted, in such detail as determined by the convention. The county convention may require that the county commissioners obtain written authority from the executive committee before transferring any appropriation or part thereof under the provisions of section 15.

2 County Commissioners. Amend RSA 24:15 by inserting after the word "payment" in the eighth line the words, unless otherwise ordered by the county convention under the provisions of section 14, so that said section as amended shall read as follows: 24:15 Exceeding Appropriations. No county commissioner shall pay, or agree to pay, or incur any liability for the payment of, any sum of money for which the county convention has made no appropriation, or in excess of any appropriation so made except for the payment of judgments rendered against the county. In the case of an emergency, how-

ever, county commissioners may apply to the executive committee, which, after a public hearing, may grant to the county commissioners authority in writing to make such emergency payment. Unless otherwise ordered by the county convention under the provisions of section 14, whenever it appears that the amount appropriated for a specific purpose will not be used in whole or in part for such purpose, the county commissioners may use such sum to augment other appropriations, if necessary, provided the total payments for all purposes do not exceed the total sum of appropriations in any year made by the county convention.

3 Takes Effect. This act shall take effect sixty days after its passage.

On motion of Mr. Deans of Milford reading of the amendment was dispensed with. Mr. Deans explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Emerson of Dalton for the Committee on Municipal and County Government, HB 444, legalizing the Walpole Village District meeting held on April 7, 1961. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Gaffney of Claremont for the Committee on Municipal and County Government, HB 445, legalizing the Walpole Fire District meeting held on April 7, 1961. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pettigrew of Manchester for the special Committee consisting of the members from the county of Hillsborough, HB 328, relative to salaries of Hillsborough county commissioners. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Claflin of Wolfeboro for the Committee on Transportation, SB 99, to regulate the sale and use of hydraulic brake fluids for motor vehicles. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. King of Manchester for the Special Committee consisting of the members from the city of Manchester, HB 372, relative to municipal elections in the city of Manchester. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Kearns of Manchester for the Committee on Ways and Means, HB 371, relative to tobacco tax. Ought to pass.

On motion of Mr. Chandler of Bartlett HB 371 was re-committed to the committee on Ways and Means.

Mr. Larty of Haverhill for the Committee on Ways and Means, HB 317, repealing the taxation of boats. Inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Chandler of Bartlett for the Committee on Ways and Means, HB 381, repealing the taxation of livestock and poultry. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the taxation of livestock and poultry.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Taxation of Livestock and Poultry. Amend paragraph IV of RSA 72:15 by striking out the same and inserting in place thereof the following: IV. Draft animals including horses, asses, and mules over twenty-four months old, neat stock including oxen, cows and other neat stock over twenty-four months old; sheep and goats over one year old and hogs over six months old; poultry of every description over four months old, provided, however, that only such valuation of such livestock and/or poultry as exceeds in the aggregate one thousand dollars shall be taxable.

2 Repeal. Paragraph V, VI, and VII of RSA 72:15 relative to certain personal estate, are hereby repealed.

3 Takes Effect. This act shall take effect as of April 1, 1962.

Mr. LaMott of Haverhill moved that further consideration of HB 381 be indefinitely postponed and spoke in favor of the motion.

Mr. Chandler of Bartlett spoke against the motion.

Mr. O'York of Dover spoke in favor of the motion.

On a *viva voce* vote the Chair was in doubt and requested a division.

A division showing 80 members voting in the affirmative and 204 voting in the negative, the motion to indefinitely postpone was lost.

Mr. Bragdon of Amherst wished to be recorded as voting "No" on the motion.

The question now being on the amendment.

Mr. Brewster of Pittsfield spoke against the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Taken from the Table

HB 180, to increase the terms of office of the clerk and treasurer of the city of Nashua.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

HB 274, relative to the salaries of the mayor and board of aldermen of the city of Nashua.

The question being on the amendment.

Mr. Underhill of Nashua moved that HB 274 be recommitted to the Nashua Delegation for further study and spoke in favor of the motion.

Mr. Pappagianis of Nashua spoke against the motion.

On a *viva voce* vote the Nays appeared to have it.

Mr. Underhill of Nashua requested a division.

85 members having voted in the affirmative and 160 members having voted in the negative the motion to recommit was lost.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Reconsideration

Mr. Hutchinson of Chichester moved that the House reconsider its vote whereby it killed SB 52, relative to the licensing of dogs and spoke in favor of the motion.

On a *viva voce* vote the motion was lost.

Mr. Hutchinson of Chichester requested a division.

76 members having voted in the affirmative and 138 in the negative, the motion to reconsider was lost.

Mr. Pillsbury of Manchester moved that the House committee on Appropriations be ordered to report in to the House HB 93, to establish within the office of the attorney general a division of subversive investigation, and that the bill be made the first order of business for Wednesday next.

Parliamentary Inquiry

In response to an inquiry from the member from Farmington, Mr. Gilman, the Chair ruled that the motion was debatable, both as to time and as to the merits of the bill concerned under the motion.

Mr. Pillsbury of Manchester spoke in favor of the motion.

(Mr. Deans of Milford in the Chair)

Messrs Lamprey of Moultonborough, Clement of Rochester, Gilman of Farmington, King of Manchester and Pickett of Keene spoke against the motion.

(discussion ensued)

Mr. Pillsbury of Manchester withdrew his motion.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 187, authorizing the establishment of an interstate school district by Hanover, New Hampshire, and Norwich, Vermont.

Senate Messages

The Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 149, relative to the salary of the Justice and Special Justice of the Dover municipal court.

Amend section 1 of said bill by inserting after the figure "212:1" in the fourth line the word and figure, and 1961, 15:1. Further amend said section by striking out the words "three thousand five hundred" in the fourteenth line and inserting in place thereof the words, four thousand.

Amend section 2 of said bill by inserting after the figure "209:2" in the second line the word and figure, and 1961, 16:1.

On motion of Mr. Karkavelas of Dover the House concurred in the amendment. A further Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 226, providing for a closed season on black bear.

Amend section 1 of said bill by striking out the sentence "Live bear may not be offered for sale at any time unless by a person licensed so to do" and inserting in place thereof the sentence: Live bear may not be offered for sale at any time unless by a person permitted so to do by the director.

Further amend section 1 of said bill by striking out the words "unless otherwise provided" in the twelfth line and inserting in place thereof the words, unless otherwise herein provided.

On motion of Mr. Spalding of Plainfield the House concurred in the amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 265, providing penalties for illegal operation of boats.

HB 311, to permit the waiver of hearings before the public utilities commission when all parties are in agreement.

HB 333, relating to appeals from municipal courts.

HB 154, relative to ranch bred mink.

HB 359, to provide for the sale of quail.

HB 36, relative to the transportation of deer.

HB 142, prohibiting and the use of firearms in the town of New Castle.

Resolutions

Mr. MacIsaac of Laconia offered the following resolutions:

Whereas, Colonel John F. Brown, former representative from both Laconia and Marlow, has passed away, and

Whereas, he served in World War I as a volunteer ambulance driver in France and as a pilot in the United States Air Service, also working with Herbert Hoover's Food Administration in Russia and in the Baltic states, as well as rendering other military and civic services despite the fact that for many years he suffered from the effect of infantile paralysis, therefore be it

Resolved, that we, the members of the House of Representatives of the General Court of New Hampshire, pay tribute to his services to his state and to his country and extend our sympathy to his family in its bereavement, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to his widow, Mrs. Brown.

By a unanimous vote the resolutions were adopted.

Announcements

The Chair announced that today is the birthday of Mr. Collishaw of Exeter.

The Chair also announced that Mr. Richardson, attache of the House, wished to thank the members for their cards and visits while he was ill.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourned today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 279, relative to supervisory unions and teacher consultants.

HB 135, requiring county commissioners to obtain written authority from executive committee for appropriations transfers.

HB 444, legalizing the Walpole Village District meeting held on April 7, 1961.

HB 445, legalizing the Walpole Fire District meeting held on April 7, 1961.

HB 328, relative to salaries of Hillsborough county commissioners.

HB 381, repealing the taxation of livestock and poultry.

Reconsideration

Mr. Kretowicz of Keene moved that the House reconsider its vote whereby it passed HB 381 and spoke against the motion.

On a *viva voce* vote the motion was lost.

Third Readings (cont.)

HB 372, relative to municipal elections in the city of Manchester.

HB 180, to increase the terms of office of the clerk and treasurer of the city of Nashua.

HB 274, relative to the salaries of the mayor and board of aldermen of the city of Nashua.

SB 99, to regulate the sale and use of hydraulic brake fluids for motor vehicles, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Ayre of Laconia the House adjourned at 2:42 o'clock.

THURSDAY, MAY 11, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, George Pennington, as follows

Mindful of approaching Mothers' Day, we pray: —

O God, who hast blessed our lives with the sacrificial love and tender care of mothers, we praise Thee for her who has brought us into the world, laughed with us in our joy, cried with us in our sorrow and who in life and in death is ever with us.

We pray that as we have opportunity we may help today's youngsters to gain a deeper appreciation of their mothers, and that in our own ways we may continue to fulfill the dreams our mothers had for us. Amen.

Pledge of Allegiance to the Flag

Mrs. Palmer of Plaistow led the Convention in the Pledge of Allegiance to the Flag.

House

The Chair introduced as Special Guests of the House today, Father Eugene Murphy, Pastor and Father Gerald Joyal,

Curate of St. Mary's Parish of Rochester, courtesy of Senator Bergeron from District No. 20.

The Chair also introduced a group of students from St. Mary's school in Rochester, courtesy of the Rochester Delegation.

The following groups were also introduced as guests of the House today:

8th grade students of the Pollard Grammar School, Plaistow, courtesy of Mrs. Palmer of Plaistow.

7th and 8th grade students from Greenland Central school, courtesy of Mrs. Weeks of Greenland.

A group of ladies from Hampton of the Rockingham County Extension Service, courtesy of Mr. Hunter from Hampton.

Leaves of Absence

Mrs. Gowing of Dublin was granted leave of absence for the day on account of illness in the family.

Messrs. Pillsbury of Manchester, Deans of Milford and Pinkham of Northwood were granted leave of absence for the day on account of important business.

First and Second Reading of House Bills

HB 462, imposing taxes on meals and rooms (Gilman of Farmington) to Ways and Means.

HB 463, to incorporate the inhabitants of the easterly part of Lisbon into a separate town with all the privileges and immunities of other towns in this state. (Rules — Johnson of Franconia) to Municipal and County Government.

Taken from the Table

SB 45, providing special licenses for lounges at municipal airports.

The question being on the committee amendment as printed in the Journal of Tuesday May 2, on pages 23-24.

Mr. Stafford moved that the words, "Inexpedient to Legislate" be substituted for the words, Ought to Pass with amendment, and spoke in favor of the motion.

Mr. Audet of Concord spoke against the motion.

(discussion ensued)

Mr. Hart of Manchester moved that further consideration of SB 45 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Messrs. Stevenson of Bethlehem, Coutermarsh of Lebanon, Murch of Portsmouth and Pickett of Keene spoke against the motion.

Mr. Porter of Lebanon spoke in favor of the motion.

Mr. Hart of Manchester requested a division.

119 members having voted in the affirmative and 190 in the negative the motion to indefinitely postpone was lost.

Mr. Deming of Danville demanded the Yeas and Nays, and the roll was called as follows:

YEAS 137

ROCKINGHAM COUNTY: Griffin, Persson, Deming, Scott of Deerfield, Kimball of Derry, Scott of Derry, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Casassa, Hunter, Clark of Kingston, Cheney, McDaniel, Palmer, Stafford, White of Portsmouth, Ward 4; Ingraham, Carkin, Cross, Greene of Rye, Waterhouse.

STRAFFORD COUNTY: Berry, Leighton, O'York, Fellows, Richardson, Bevan, Heald, Littlehale, Adams of Madbury, Reid, Maxfield, Watson of Rochester, Johnson of Rochester, Clement, Varney, Green of Rollinsford.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Jones, Joslyn.

CARROLL COUNTY: Thompson of Effingham, Nickerson of Tamworth.

MERRIMACK COUNTY: Phelps, Hanson, Moore, Hutchinson, York, Davis of Concord, Henry, Hancock, Bingham, Seamans, Peaslee, Sanders, Barnard, Maxham, Newell of Concord, Welch, McKay, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Brown of Loudon, Plourde, Brewster, Tarrant.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin of Bedford, Farwell, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Pickering, Warren, Ainley, Lang, Hart, Healy of Manchester, Ward 8; Falconer, Hayward of Milford, Buckley, Cole, Cooper, Bissonnette, Locke, Rice, Eastman of Weare, Draper.

CHESHIRE COUNTY: Stearns, Keating, Parker, Bennett, Faulkner, Miskelly, Kretowicz, Oliver, Crain, Hackler, Frost.

SULLIVAN COUNTY: Bascomb, Frizzell, Campbell, Guest, Williamson, Bailey, Downing, Spalding, Merrifield.

GRAFTON COUNTY: Chandler of Canaan, Gage, Hayward of Hanover, Adams of Lebanon, Porter, Hill of Littleton, Martin, Cushman, Bell, Loizeaux, Bradley, Anderson.

COOS COUNTY: Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Brooks, Taylor of Whitefield.

NAYS 211

ROCKINGHAM COUNTY: White of Atkinson, Vey, Spollett of Chester, Gay, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Spollett of Hampstead, Shepard, Jenkins, Hislop, Sewall, Twardus, Carter, Driscoll, Keefe, Bowles, Murch, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 5; Langford, Magoon, Felch, Barker.

STRAFFORD COUNTY: Blanchette, Stonemetz, Colbath, Flanagan, Drew, Clark of Lee, Rolfe, Marsan, Potvin, St. Pierre, Maloomian, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Lord, Robertson, Lacaillade, McCarthy, Harkins, Normandin, Ayre, Prescott, Stothart, Dulac, O'Shan, MacIsaac, Allan of Meredith, Smith, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Roberts, Blake, Taylor of Ossipee, Kurth, Fox, Chamberlain, Claffin.

MERRIMACK COUNTY: Guilbeault, Asby, Allen of Concord, Audet, Lovejoy, Quinn, Gove, Jennings of Concord, Brown of Danbury, Carpenter, Broek, Mulaire, London, Thompson of Northfield, Thibeault, Keith.

HILLSBOROUGH COUNTY: Taft, Eaton, Claveau, Gallagher, Provencal, Pettigrew, Geisel, Goode, Hayes, Cullity, Nolan,

Linehan, Manning, Szelog, Walsh, Casey, Clancy, Dupont, Healy of Manchester, Ward 6; O'Conner, LaFrance, LeClerc, Plante, Tessier, Compagna, Cote, Craig, Delisle, Cary, Morris, Belanger, Bergeron, King, Hurley, Noel, Roche, Dumas, Lemay, Levasseur, Nalette, Allard, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Gamache, Hazeltine, Milliken, Underhill, Rosedoff, Kirkorian, Brosnahan, Sullivan, Maynard, Pappagianis, Dionne of Nashua, Ward 6; Marcoux, Boisvert, Chartrain, Mason, Bouley, Grandmaison, Lavallee, Sablusk, Bouthillier, Karnis, Peabody, Peterson.

CHESHIRE COUNTY: Totman, O'Neil, Turner, Clark of Harrisville, Cournoyer, Desmarais, Terrill, Pickett, Allen of Rindge, Congdon, Ballam, Galloway, Wildey, Sawyer.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Angus, Nahil, Barrows, D'Amante, Desnoyer, Weber, DeLude.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Willey, Morse, Johnson of Franconia, Low, Neale, Lamott, Larty, Karsten, Beard, Coutermarsh, Demers, Whipple, McGee, Haskins, Barney, Avery, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Ledoux, Bragg, Shute, Bushey, Potter of Northumberland, Converse, Stinson.

PAIRS

Mr. Grimes of Dover voting YES paired with Mr. Bowler of Hanover voting NO.

Mr. Deans of Milford voting YES paired with Mr. Hill of Conway voting NO.

and the motion to indefinitely postpone was lost.

The question now being on the amendment as offered by the majority of the committee.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Shepard of Londonderry for the Committee on Finance, HB 81, extending the provisions of law relative to an accelerated highway and construction and improvement program. Ought to pass with amendment.

Amend said bill by inserting after section 1 the following new sections:

2 Maturity of Bonds. Amend 1959, 276:3 by striking out said section and inserting in place thereof the following: 276:3 Form. The governor and council shall determine the form of such notes or bonds, their rate of interest, the dates when interest shall be paid, the places where principal and interest shall be paid and the time or times of issue. The maturity dates of such notes or bonds shall be determined by the governor and council, and may be redeemable before maturity at the option of the governor and council, at such price or prices and under such terms and conditions, as may be fixed by the governor and council prior to the issuance of the bonds. Such bonds or notes shall be signed by the treasurer and countersigned by the governor. The treasurer may sell such bonds or notes under the direction of the governor and council.

3 Limitation. Not more than six million dollars of the thirty-one million dollars appropriated by 1959, 276:1 may be expended for the acquisition of right-of-ways, construction or reconstruction on the system of state highways where federal matching funds are not available. Any part of said thirty-one million dollars expended prior to the effective date of this act for the acquisition of right-of-ways, construction or reconstruction on the system of state highways where federal matching funds were not available shall be included in said six million dollar limitation.

Further amend said bill by renumbering sections 2 and 3 to read 4 and 5.

The Clerk read the amendment in full.

Minority, ought to pass with amendment.

Amend section 1 of the bill by adding at the end thereof the following: The completion of route 93 from Tilton to Littleton shall be a primary objective as to any funds available under this act for which federal matching funds in the amount of fifty per cent or more are available, so that said section as amended shall read as follows:

1 Extension of Provisions. The provisions of 1959, 276 relative to providing funds for an accelerated highway construction and improvement program for the state is hereby extended and made applicable during the 1962, 1963 biennium. Any balance of the funds provided by said chapter shall be expended under the direction of the commissioner of public works and

highways for the purposes as provided by said chapter 276. The completion of route 93 from Tilton to Littleton shall be a primary objective as to any funds available under this act for which federal matching funds in the amount of fifty per cent or more are available.

Eugene S. Daniell, Jr.

The Clerk read the minority amendment in full.

Mr. Daniell of Franklin moved that the minority report be substituted for that of the majority, and spoke in favor of the motion.

Mr. Galloway of Walpole spoke against the motion.

(discussion ensued)

Mrs. Davis of Concord spoke against the motion.

On a *viva voce* vote the motion was lost.

On a *viva voce* vote the majority amendment was adopted.

The question now being, shall the bill be read a third time.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Perrault of Berlin for the Committee on Insurance, HB 394, relative to reinstatement of insurance policies. Inexpedient to legislate.

Mr. Coutermarsh of Lebanon moved that HB 394 be re-committed to the committee on Insurance for further study and spoke in favor of the motion.

Mr. Hancock of Concord spoke in favor of the motion.

Mr. Varney of Rochester spoke against the motion.

On a *viva voce* vote the motion was adopted and HB 394 was recommitted to the committee on Insurance.

Mr. Hill of Littleton moved that the rules of the House be so far suspended as to vacate the order whereby HB 73, relative to mileage allowance for members of the General Court, was referred to the committee on Executive Departments and Administration and that the bill be referred to the Appropriations committee, and spoke in favor of the motion.

Mr. Angus of Claremont spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 273, An Act relating to trust companies, having considered the same, report the same with the following recommendation:

That the House recede from its position of nonconcurrency and concur in the amendment sent down by the Honorable Senate.

Philip S. Dunlap

Lucien E. Bergeron

Conferees on the part of the Senate

L. Waldo Bigelow

Eugene Delisle

William L. Asby

Conferees on the part of the House

On a *viva voce* vote the report was adopted.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 67, relative to collection of taxes from contractors and subcontractors.

SB 118, to establish a new apportionment for the assessment of public taxes.

SB 125, legalizing the organization meeting and first annual meeting of the Monadnock Regional School District.

SB 66, to encourage the private development of public lands.

SB 112, increasing the powers of the college of advanced science.

SB 126, for the encouragement of community colleges.

SB 130, relative to notice to department of Employment Security of licensed employment officers.

Senate Bills Read and Referred

SB 67, Ways and means.

SB 118, Ways and Means.

SB 66, Resources, Recreation and Development.

SB 125, Municipal and County Government.

SB 130, Labor.

SB 112, Education.

SB 126, Education.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 238, authorizing the town of Exeter to provide life and health insurance for its employees.

Amend the title of said bill by striking out the same and inserting in place thereof the following: An Act authorizing the town of Exeter to provide life and health insurance for its employees.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Exeter, Town Appropriations. The town of Exeter may at any legal meeting grant and vote such sums of money as it judges necessary to provide group plan life, accident, medical, surgical and hospitalization insurance benefits, or any combination of such benefits, for all regular employees of the town and their dependents.

2 Takes Effect. This act shall take effect upon its passage.

On motion of Mr. Collishaw of Exeter the House concurred in the Senate amendments.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 461, naming an interstate highway.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following so that said section shall read as follows:

1 Alan B. Shepard, Jr. Highway Named. That portion of the proposed Interstate Highway 93 beginning at the Massachusetts-New Hampshire State Line in Salem and extending north to its connection with the F. E. Everett Turnpike in Hooksett shall be known as the Alan B. Shepard, Jr. Highway.

On motion of Mr. Claffin of Wolfeboro the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 56, relative to motor vehicle fees.

Senate Bill Read and Referred

SB 56, Ways and Means.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 222, regulating the provisions for selling and serving milk.

Amend RSA 184:30-a as inserted in section 1 of the bill by adding after the word "producer" in line 4 the word, "store" so that said section as amended shall read as follows:

184:30-a Pasteurization Required. No milk or milk products as defined in section 36 shall be sold, offered for sale or served unless pasteurized. This shall not serve to prohibit the direct sale of raw milk or cream from the producer, store or milk pasteurization plant to the final consumer, or milk or cream from a producer to stores, nor the serving of raw milk at bona fide boarding houses where the milk is produced on the premises, provided that in the dining room of such boarding houses a sign is prominently displayed stating that such raw milk is served therein.

On motion of Mr. Green of Rollinsford the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 118, relative to data processing systems.

Amend section 1 of said bill by substituting for the word "less" in line seven thereof the word, more, so that said section as amended shall read as follows:

1 Purchase of Equipment. Amend RSA 411 by inserting after section 16 the following new section: 411:16-a Data processing System. Any such company may purchase and hold electronic computers and electronic and mechanical machines and equipment consisting of data processing and accounting system, provided that the cost thereof shall be amortized in not more than ten years, and provided further that the unamortized cost thereof shall not at any time exceed one per cent of the company's admitted assets without the approval of the insurance commissioner.

On motion of Mr. Hancock of Concord the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 288, relative to rules and regulations and permit fees for receiving stations for milk.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Receiving Stations for Milk. Amend RSA 184 by inserting after section 60-a (supp) as inserted by 1955, 86-2 the following new sections: 184:60-b Rules and Regulations; Fees. The commissioner may make rules and regulations governing the application for and the granting of permits under the provisions of section 60-a. The fee for each such permit shall be

two dollars. Permits issued shall expire as of August first each year, and may be renewed upon payment of the annual fee. A permit may be revoked by the commissioner if after due notice the owner of the permit fails or has failed to comply with the law or the rules and regulations under which the permit was granted.

184:6-c Penalty. Any person who purchases milk from producers in this state using the bulk tank collector system of collecting milk and who fails to have a valid permit from the commissioner to operate each individual route shall be fined not more than twenty-five dollars.

2 Application; Effective Dates. This act shall take effect as of August 1, 1961, provided, however, that nothing herein shall be construed as affecting valid permits in effect as of August 1, 1961. Said permits, unless otherwise revoked, shall be effective until August 1, 1962. No additional fee shall be required for this extension of permits.

On motion of Mr. Adams of Madbury, reading of the amendment was dispensed with, and the House concurred in the Senate amendments.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 276, relative to purchase of milk for resale or manufacture.

Amend said bill by striking out section 4 and inserting in place thereof the following:

4 Application; Effective Dates. This act shall take effect as of August 1, 1961, provided, however, that nothing herein shall be construed as affecting valid licenses or renewals in effect as of August 1, 1961. Said licenses unless revoked or suspended shall be effective until August 1, 1962. No additional fee shall be required for this extension of licenses.

On motion of Mr. Adams of Madbury the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the pas-

sage of the following entitled bills sent up from the House of Representatives:

HB 204, relating to banks and building and loan associations.

HB 409, relative to election of school district officers at town meeting.

HB 389, relating to acknowledgments by persons serving in armed forces or their dependents.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Whereas, Miss Annette Lambert of Claremont, a senior at St. Mary's High School in said city, has been chosen Miss New Hampshire of 1961:

And Whereas, she will represent the state at the Miss America contest in Atlantic City next September.

Now Therefore Be it Resolved:

That the General Court extend to Miss Lambert its congratulations and commendation and wish her success at Atlantic City in September, and

That the clerk be directed to forward a copy of this resolution to Miss Lambert.

On a *viva voce* vote the concurrent resolution was adopted.

Resolutions

Mr. Green of Rollinsford offered the following resolutions:

Whereas, Bernice M. Doherty of Rollinsford has just retired after fifty years of teaching in the grade school in said town, therefore be it

Resolved, that we, the members of the House of Representatives of the General Court of New Hampshire, pay tribute to her services to her town and school as a credit to her profession and extend our heartiest congratulations on her accomplishments which were so ably performed, and be it further

Resolved, that the Clerk of the House transmit to her a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Hunter of Hampton, for the committee on Resources, Recreation and Development, offered the following resolutions:

Whereas, R. Wilbur Potter, Representative from Milan, is confined by illness in the Mary Hitchcock Hospital in Hanover, therefore be it

Resolved, that we, the members of the Committee on Resources, Recreation and Development, for ourselves and for the members of the House of Representatives of the General Court of New Hampshire, extend our sympathy to our Fellow Member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Representative Potter.

On a *viva voce* vote the resolutions were unanimously adopted.

The Chair announced that Saturday, May 13th is the birthday of Mr. Keating of Keene.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be in honor of the member from Merrimack, Edward G. Haseltine, who has just been made a Brigadier General in the U. S. Air Force Reserve, and to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

SB 45, providing special licenses for lounges at municipal airports, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

Reconsideration

Mr. Audet of Concord, having voted with the majority, moved that the House reconsider its vote whereby it passed SB 45, and spoke against the motion.

On a *viva voce* vote the motion was lost.

Third Reading (cont.)

HB 81, extending the provisions of law relative to an accelerated highway and construction and improvement program, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mrs. Davis of Conway the House adjourned in honor of Brigadier General Haseltine, U.S.A.R. at 1:37 o'clock.

TUESDAY, MAY 16, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend Charles O. Richardson, Jr., from The Dublin Community Church as follows:

Eternal God, Lord of history and father of our spirits, we invoke thy blessing and presence upon this assembly and these deliberations.

We need thy inspiration and thy guidance, as indeed does all mankind, thy children. In the light of thine eternal truth, the pressing issues and cares of the moment take on their true significance, without losing their importance.

As we meet as free men, to use our talents as best we can for the benefit of our fellow citizens, keep us from allowing our self confidence to become self-centeredness; our independence to become intolerance; our sincere beliefs, firmly held, to become narrow-mindedness.

Above all, help us to see that our strongest defense as a state and nation lies in the home and school and church, where is built the character that gives free people the power to win their freedom, and to maintain it.

With the heritage of human dignity and freedom which is ours, may we always, with thy help and guidance, do our best to live up to the highest of human ideals, and so do our part in bringing nearer thy kingdom, the brotherhood of man, and lasting peace among men. Amen.

Pledge of Allegiance to the Flag

Mr. Urie of New Hampton led the Convention in the Pledge of Allegiance to the Flag.

The Glee Club of the New Hampton School entertained the Joint Convention under the directorship of Headmaster, T. Holmes Moore.

On motion of Senator Gardner from the 6th District the Convention rose.

House

Introduction of Guests

The Chair introduced a group of 7th grade students from the Sacred Heart Academy of Nashua, courtesy of the Nashua Delegation.

Also a group of 6th, 7th and 8th grade students from Canterbury, courtesy of Mr. Asby of Canterbury.

Also a group from the Civics Class of Raymond High School, courtesy of Mr. Langford from Raymond.

Leaves of Absence

Messrs Hancock of Concord and Leclerc of Manchester were granted leave of absence for the day on account of illness.

Mr. Bowler of Hanover was granted leave of absence for the day on account of important business.

Messrs. Miskelly of Keene and Rice of Peterboro were granted leave of absence for the day on account of deaths in the family.

Mr. Brocklebank of Hollis was granted a leave of absence for the week on account of illness.

Mr. Johnson of Franconia was granted leave of absence for the week on account of important business.

First and Second Reading of a House Joint Resolution

HJR 37, relative to construction of armories (Committee on Rules — Mr. Vaughan of Newport) to Appropriations.

Mr Vaughan of Newport moved that the rules of the House be so far suspended as to dispense with the printing, reference to committee, public hearings on HJR 37 and it be placed on third reading and final passage at the present time.

The Clerk read the House Joint Resolution in full.

On a *viva voce* vote the motion was adopted and the House Joint Resolution was ordered to a third reading.

Third Reading

HJR 37, relative to the construction of armories was read a third time, passed, and sent to the Senate for concurrence.

Mrs. Cooper of Nashua moved that the gentlemen of the House be allowed to remove their coats while the House is in session from now on.

On a *viva voce* vote the motion was adopted.

Committee Reports

Mr. Taft of Greenville for the Committee on Appropriations, SJR 3, to provide for the appointment of an interim commission on education to study the organization of school districts and the higher educational facilities in the state. Ought to pass.

On a *viva voce* vote the Senate Joint Resolution was ordered to a third reading.

Mr. Gove of Concord for the Committee on Appropriations, HB 124, to establish a department of safety. Ought to pass.

Mr. O'York of Dover moved that HB 124 be indefinitely postponed and spoke in favor of the motion.

Mr. Newell of Concord moved that HB 124 be referred to the New Hampshire Supreme Court for an opinion as to its constitutionality and spoke in favor of the motion.

Mr. Chandler of Bartlett spoke against the motion.

Mr. Pickett of Keene spoke in favor of the motion.

Mr. Clement of Rochester requested a recess.

Recess

After Recess

Messrs. Clement of Rochester and Bowles of Portsmouth spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Newell of Concord requested a division vote.

80 members having voted in the affirmative and 187 in the negative the motion was not adopted.

The question now being on the motion to indefinitely postpone HB 124.

Mr. O'York of Dover demanded the Yeas and Nays and the roll was called as follows:

YEAS 42

STRAFFORD COUNTY: Berry, Leighton, Grimes, O'York, Littlehale.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Phelps, Keneval, McKay, Daniell of Franklin, Gilman of Franklin, Charland, Plourde.

HILLSBOROUGH COUNTY: Pillsbury, Manning, Ecker, Cote, Craig, Healy of Manchester, Ward 8; King, Dumas, Levasseur, Nalette, Chapdelaine, Lesmerises, Falconer, Buckley, Dionne of Nashua, Ward 2; Rosedoff, Brosnahan, Maynard, Marcoux.

CHESHIRE COUNTY: Pickett.

SULLIVAN COUNTY: Bailey, Downing.

GRAFTON COUNTY: None.

COOS COUNTY: Desilets, Sheridan, Vashaw, Fontaine, Graham, Bushey.

ROCKINGHAM COUNTY: Sewall, Twardus.

NAYS 284

STRAFFORD COUNTY: Blanchett, Stonemetz, Colbath, Karkavelas, Richardson, Bevan, Heald, Drew, Clark of Lee, Reid, Rolfe, Maxfield, Watson of Rochester, Potvin, St. Pierre, Johnson of Rochester, Clement, Varney, Green of Rollinsford, Maloomain, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Lord, Lacaillade, McCarthy, Harkins, Normandin, Ayre, Prescott, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Hill of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Nickerson of Tamworth, Kurth, Fox, Chamberlain, Claffin.

MERRIMACK COUNTY: Guilbeault, Moore, Asby, Hutchinson, Allen of Concord, York, Davis of Concord, Henry, Audet, Gibson, Bingham, Seamans, Lovejoy, Peaslee, Sanders, Gove, Newell of Concord, Welch, Jennings of Concord, Brown of Danbury, Stevens, Brock, Mulaire, Brown of Loudon, Thompson of Northfield, Thibeault, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin of Bedford, Aucella, Farwell, Bartlett, Nickerson of Goffstown, Taft, Pickering, Eaton, Claveau, Gallagher, Provencal, Warren, Lang, Pettigrew, Geisel, Goode, Mahony, Bruton, Cullity, Nolan, Linehan, Szelog, Clancy, Dupont, Healy of Manchester, Ward 6; O'Conner, LaFrance, Plante, Tessier, Compagna, Delisle, Cary, Morris, Belanger, Hurley, Noel, Allard, Daniel of Manchester, Rousseau, Crowley, Gamache, Deans, Hayward of Milford, Cole, Cooper, Milliken, Underhill, Kirkorian, Sullivan, Pappagianis, Dionne of Nashua, Ward 6; Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Sablusk, Bouthillier, Locke, Karnis, Peabody, Peterson, Eastman of Weare, Draper.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Turner, Clark of Harrisville, Stearns, Cournoyer, Desmarais, Keating, Terrill, Parker, Bennett, Brown of Keene, Faulkner, Oliver, Crain, Hackler, Congdon, Ballam, Galloway, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Cann, Gaffney, Prudhomme, Angus, Campbell, Nahill, Barrows, D'Amante,

Desnoyer, Guest, Weber, Williamson, Vaughan, Spalding, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Chandler of Canaan, Morse, Gage, Hayward of Hanover, Low, Neale, LaMott, Larty, Karsten, Adams of Lebanon, Beard, Demers, Porter, Whipple, Collyer, Burrill, Hill of Littleton, Martin, Haskins, Cushman, Kinghorn, Bell, Loizeaux, Barney, Avery, Bradley, Anderson, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Gagnon, Ledoux, Marsh, Crockett, Kimball of Jefferson, Bragg, Shute, Potter of Northumberland, Converse, Brooks, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Gay, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Casassa, Hunter, Clark of Kingston, Jenkins, Cheney, Carter, Pinkham, McDaniel, Palmer, Bowles, Murch, Dame, Osborn, White of Portsmouth, Ward 4; White of Portsmouth, Ward 5; Carkin, Cross, Langford, Greene of Rye, Magoon, Peever, Roulston, Felch, Waterhouse.

and the motion to indefinitely postpone was lost.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to place HB 124 on third reading and final passage, by title only, at the present time.

Third Reading

HB 124, to establish a department of safety, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Clement of Rochester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 124, and spoke against the motion.

On a *viva voce* vote the motion was lost.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Joint Resolution:

HJR 37, relative to construction of armories.

Committee Reports (cont.)

Mr. Taft of Greenville for the Committee on Appropriations, HB 158, relative to policemen's retirement system, thirty year plan. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Chandler of Bartlett for the Committee on Ways and Means, HB 371, relative to tobacco tax. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, SB 109, to provide full pay for employees of the state police incapacitated in line of duty subject to certain conditions. Inexpedient to legislate.

On motion of Mr. MacIsaac of Laconia SB 109 was re-committed to the Committee on Executive Departments and Administration.

Mr. Aucella of Bennington for the Committee on Executive Departments and Administration SB 108, relating to permanent police officers. Ought to pass with amendment.

Amend section 1 of said bill by striking out the words and figures "appointed a permanent police officer under the provisions of 105:1" in the second and third lines and in the sixth and seventh lines and inserting in place thereof the words and figures, any full time police officer appointed under the provisions of RSA 105:1 (supp), 1957, 206:1, so that said section as amended shall read as follows:

1 Police Officers. Amend RSA 41:48 by inserting after the word "hereof" in the second line the words, or any full time police officer appointed under the provisions of RSA 105:1 (supp), 1957, 206:1, so that said section as amended shall read

as follows: 41:48 Tenure of Office. Any permanent constable or police officer elected in conformity to a town vote, as provided in section 47 hereof, or any full time police officer appointed under the provisions of RSA 105:1 (supp) , 1957, 206:1, shall continue to hold such office during good behavior unless sooner removed for cause by the selectmen, after notice and hearing, or unless the town has rescinded its action as hereinbefore provided. Any such elected permanent constable or police officer shall be deemed to be a permanent policeman, and entitled to benefits, under the provisions of RSA chapter 103, if otherwise qualified.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading

Mr. Dupont of Manchester for the Committee on Executive Departments and Administration HB 386, for safeguarding persons and property and promoting the welfare of the public by creating an electrical administrative board of the state of New Hampshire and prescribing its duties; establishing standards for electrical equipment and for its installation. Inexpedient to legislate.

Mr. LaMott of Haverhill moved that HB 386 be referred to the Legislative Council and spoke in favor of the motion.

Mr. Hill of Littleton spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and the bill was referred to the Legislative Council.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration HB 385, authorizing the superintendent of state police to establish a police training school. Ought to pass.

The Chair referred the bill to the committee on Appropriations under the rules.

Mrs. Clark of Lee for the Committee on Executive Departments and Administration SB 86, relative to the term of office of highway agents in the town of Freedom. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Hancock of Concord for the Committee on Insurance HB 167, relative to the cancellation of accident and health insurance policies. Recommitted to the committee on insurance in new draft.

On a *viva voce* vote the recommendation of the committee was adopted.

Mr. Perrault of Berlin for the Committee on Insurance HB 195, relative to motor vehicle accident reports. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Claflin of Wolfeboro for the Committee on Transportation SB 98, relative to mufflers on motor vehicles. Ought to pass.

Amend paragraph IV of section 1 of the bill by striking out the last sentence, so that said paragraph as amended shall read as follows:

IV A muffler is a device consisting of a series of chambers, or baffleplates, or other mechanical design for the purpose of receiving exhaust gases and effectively reducing noise.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Taken From The Table

HB 434, relative to selection of public utilities commissioners. The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

HB 210, relative to cooperative school districts. The question being on the adoption of the committee amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Committee Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 89, to amend the charter of Cheshire County Savings Bank. Ought to pass with amendment.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Cheshire County Savings Bank. Amend chapter 193 of the Laws of 1897, as amended by chapter 434, Laws of 1955, being the charter of the Cheshire County Savings Bank of Keene, as follows:

I. By striking out in section 2 thereof the following

Further amend said section 1 by striking out the twelfth line and inserting in place thereof the following:

II. By striking out in section 4 thereof the

Further amend said section 1 by striking out the paragraph numbered c and inserting in place thereof the following:

III. By striking out section 5 and inserting in place thereof the following: Sect. 5. Said trustees shall qualify in the manner prescribed by law. They shall annually elect from their membership a Chairman of the board, a vice chairman of the board and a president. They shall also annually elect a vice president, a treasurer, a secretary and such other officers as may be necessary for the proper management of the business of said bank, and may remove the same at pleasure. A majority of the trustees shall constitute a quorum.

Further amend said section 1 by striking out the twenty-sixth line and inserting in place thereof the following:

IV. By striking out in section 6 thereof the

Further amend said section 1 by striking out the thirtieth and thirty-first lines and inserting in place thereof the following:

V. By striking out section 7 and inserting in place thereof the following: Sect. 7. All meetings of

On motion of Mr. Shepard of Londonderry the House concurred in the amendment.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and Senate Joint Resolution:

HB 389, relating to acknowledgments by persons serving in armed forces or their dependents.

HB 409, relative to election of school district officers at town meeting.

HB 461, naming an interstate highway.

SB 113, relative to foster day care homes.

SB 124, to validate the annual meeting of Allenstown School District.

SJR 5, in favor of Berton B. Hiller.

HB 36, relative to the transportation of deer.

HB 118, relative to date processing systems.

HB 142, prohibiting hunting and the use of firearms in the town of New Castle.

HB 149, relative to the salary of the justice and special justice of the Dover Municipal Court.

HB 154, relative to ranch bred mink.

HB 226, providing for a closed season on black bear.

HB 238, authorizing the town of Exeter to provide life and health insurance for its employees.

HB 265, providing penalties for illegal operation of boats.

HB 276, relative to purchase of milk for resale or manufacture.

HB 288, relative to rules and regulations and permit fees for receiving stations for milk.

HB 311, to permit the waiver of hearing before the public utilities commission when all parties are in agreement.

HB 333, relating to appeals from municipal courts.

HB 359, to provide for the sale of quail.

HB 204, relating to banks and buildings and loan associations.

HB 269, relative to financing industrial waste treatment facilities.

Resolutions

Messrs Goode and King of Manchester offered the following resolutions:

Whereas, Henry J. Gagnon, former Representative from Manchester, has passed away, and

Whereas, He was a former selectman and former member of the school board, and was the father of Rene Gagnon, one of the heroes of Mt. Surabachi, Iwo Jima, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his city and state, and extend our deep sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to the widow, Mrs. Gagnon.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Karkavelas of Dover offered the following resolutions:

Whereas, the members of the House of Representatives have received copies of the monthly publication, "The Granite Stater" through the courtesy of the publishers, The New England Telephone and Telegraph Company, and

Whereas, this company has, through its efficient compilation, performed a great service to the citizens of our state in acquainting them with the personnel and functions of the government of the state of New Hampshire, therefore be it

Resolved, that we, the members of this House of Representatives, in general court assembled, do hereby express our appreciation and gratitude to the aforesaid New England Telephone and Telegraph Company, for this public service; and be it further

Resolved, that the Clerk be instructed to transmit a copy of these resolutions to the publishers of the Granite Stater.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Maloomian of Somersworth offered the following concurrent resolution:

Whereas, the Soviet Union has a prime objective the expansion of its domination of colonial areas patterned after the policies of the old Czarist regime; and

Whereas, the Soviet Union suppresses human liberty in the captive nations far more ruthlessly than the old-time imperialists;

Whereas, Krushchev perpetually hurls accusations of colonialism against the free nations and the United States in particular to blind the world to his own insidious colonialism and oppression of twenty-one captive nations, now therefore be it

Resolved, by the House of Representatives with the Senate concurring, That the General Court of the State of New Hampshire exhorts the Government of the United States not to be deterred by the false charges leveled at us by Krushchev and his puppets, and to use all the resources at its command, the further spread of Soviet colonialism, to defeat the designs of Krushchev to subjugate the world, and to effect the liberation of the conquered territories and peoples now enslaved by the Soviets, be it further

Resolved, That the Secretary of State transmit a copy of this Concurrent Resolution to each of the members of the New Hampshire delegation in Congress and to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States.

The Clerk read the concurrent resolutions in full.

The Chair referred the concurrent resolutions to the committee on Judiciary.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

HB 158, relative to policemen's retirement system, thirty year plan, was read a third time, passed, and sent to the Senate moral, economic, educational, political and military, to halt for concurrence.

Reconsideration

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 158 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Third Readings (cont.)

SJR 3, to provide for the appointment of an interim commission on education to study the organization of school districts and the higher educational facilities in the state, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following Senate bills were read a third time, passed, and sent to the Senate for concurrence in the House amendments :

SB 108, relating to permanent police officers.

SB 98, relative to mufflers on motor vehicles.

HB 210, relative to cooperative school districts was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mrs. Davis of Concord the House adjourned at 1:29 o'clock.

WEDNESDAY, MAY 17, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, George Pennington, as follows:

O Lord, grant to the men and women who shoulder public trust in the government of our free state the will to ferret below things that seem apparent to the things that are true; the determination to find lasting fellowship with folk whose time and energies are given to the service of others; the courage to take a position, right or wrong, and if need be, the depth of character later to alter their views with the development of

new findings. Let those of us gathered here find in our work continuing opportunities to strengthen our characters and deepen our personal worth. Amen.

Pledge of Allegiance to the Flag

Mr. Merrifield of Sunapee led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. Jennings of Concord was granted leave of absence for today and Thursday on account of a death in the family.

Mr. Bouthillier of Nashua was granted a leave of absence for the day on account of illness.

First and Second Reading of House Bills

HB 464, relative to licenses for taking clams and oysters (Felch of Seabrook) to Fish and Game.

HB 465, establishing marriage counseling service (Gilman of Farmington and Martel of Manchester) to Judiciary.

HB 466, relative to county conventions (Frizzell of Charlestown) to Judiciary.

Committee Reports

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 201, providing for the classification of the surface waters of the Lake Massabesic watershed. Ought to pass with amendment.

Amend section 1 of the bill by inserting after paragraph II a new paragraph as follows:

III All surface waters of the Millers River watershed in the towns of Fitzwilliam, Jaffrey, New Ipswich, Richmond, Rindge and Troy, hitherto unclassified, Class B-1.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 406, providing for the acquisition of certain dams and water rights by the water resources board. Ought to pass.

The bill was referred to the committee on Finance under the rules.

Mr. Pillsbury of Manchester for the Committee on Judiciary, HB 190, in amendment of Chapter 328, Laws of 1951, creating the New Hampshire Business Development Corporation. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. London of New London for the Committee on Judiciary, HB 264, relating to constitutional conventions. Ought to pass with amendment.

Amend 68-A:9 as inserted by section 1 of the bill by inserting after the words "filing his" in the second line the words, intention of, and further amend said section by adding at the end thereof the words, The resignation shall become effective when approved in writing by the president of the constitutional convention, so that said section as amended shall read as follows: 68-A:9 Resignation. A delegate to a constitutional convention may resign his office as such by filing his intention of resignation in writing with the secretary of state. The resignation shall become effective when approved in writing by the president of the constitutional convention.

Amend 68-A:11 as inserted by section 1 of the bill by striking out the word "shall" in the third line and inserting in place thereof the word, may, so that said section as amended shall read as follows: 68-A:11 Election to Fill Vacancies. The vacancy caused by the death, resignation or removal from a town or ward of a delegate may be filled by a special election held in said town or ward. Said special election may be held on the same day as another meeting of the town or ward is held or at a different time. An article therefor shall be inserted in the warrants calling said meeting and all the laws relating to the election of representatives to the general court, so far as the same may be applicable shall apply to the special election to fill vacancy in the office of delegate.

On motion of Mr. London of New London, reading of the amendment was dispensed with.

Mr. London explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Ainley of Manchester for the Committee on Judiciary, HB 400, relating to the falsifying of age by minors in connection with the purchase of motor vehicles. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. Cooper of Nashua for the Committee on Judiciary, HB 435, relative to observation of Veterans Day, Inexpedient to legislate.

Mr. Linehan of Manchester spoke against the resolution.

Mr. Pickett of Keene moved that the words, Ought to Pass, be substituted for the word, Inexpedient to Legislate.

Mrs. Cooper of Nashua spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion was lost.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Bingham of Concord for the Committee on Judiciary, HB 436, authorizing cities and towns to construct moving sidewalks. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Davis of Concord for the Special Committee consisting of the members from the city of Concord, HB 353, relative to the election of members of the Union School District in Concord. Recommended to the committee in new draft.

On a *viva voce* vote the recommendation of the committee was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 440, relative to bob houses. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 235, to include wild animals with respect to open seasons. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Weeks of Greenland for the special Committee consisting of the members from the county of Rockingham, HB 174, relative to the salary of the sheriff of Rockingham County. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Weeks of Greenland for the special Committee consisting of the members from the county of Rockingham, HB 189, relating to the salaries of the Rockingham county commissioners. Ought to pass with amendment.

Amend section 2 of the bill by striking out the figures "1961" and inserting in place thereof the figures, 1962, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect as of January 1, 1962.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Reconsideration

Mr. Hancock of Concord served notice that today, or some subsequent day, he would request the House to reconsider its vote whereby HB 434, relative to selection of public utilities commissioners, was killed.

(Mr. Deans of Milford in the Chair)

Committee Reports (cont)

Mrs. Weeks of Greenland for the special Committee consisting of the members from the county of Rockingham, HB 110, increasing the salary of the Rockingham county attorney. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Galloway of Walpole moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

On a *viva voce* vote the motion was adopted.

Mr. Galloway of Walpole for the Committee on Public Works, HB 417, relative to reclassification of roads in Colebrook and Stewartstown. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to reclassification of roads in Colebrook and Stewartstown and the East Side River road in the town of Milan.

Amend said bill by inserting after section 2 the following new section:

3 Road in Milan. That section of the so-called East Side River road in the town of Milan (now a class V highway) beginning at the Berlin-Milan line and extending northerly about three and one-half miles to the present class II highway near the bridge over the Androscoggin river at Milan is hereby classified as a class II highway.

Further amend said bill by renumbering section 3 to read section 4.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 14, changing the classification of a highway in the town of Haverhill.

SB 117, to repeal Chapter 264 of the Laws of 1921.

SB 120, relative to jurisdiction of the director of tobacco products division.

Senate Bills Read and Referred

SB 14, to Public Works.

SB 117, to Public Works.

SB 120, to Executive Departments and Administration.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HJR 13, authorizing a study of the operation of the milk control act.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the Department of Agricultural Economics, College of Agriculture, University of New Hampshire, shall make a study of the history, administration and operation of RSA 183 relating to milk control. A report of the results of this investigation shall be filed with the agricultural committees of the House and Senate and a copy thereof shall be filed with the governor not later than June 1, 1961.

The governor is hereby authorized to draw his warrant to reimburse said department for all its costs and expenses in making said study and report.

At the request of Mr. Pillsbury of Manchester, Mr. Adams of Madbury explained the amendment.

(discussion ensued)

On motion of Mr. Adams of Madbury the House refused to concur in the Senate amendment and a committee of conference was to be appointed and the Chair appointed the following members as conferees on the part of the House: Messrs. Adams of Madbury, Robertson of Gilmanton and Dempsey of Franklin.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 51, providing for open season for taking fisher.

Amend said bill by striking out section 2 thereof and inserting in place of said section the following:

2 Fisher. Amend RSA 210 by inserting after section 3 the following new section: 210:3-a Open Season. There shall be no open season for fisher, except that fisher may be taken and possessed from November first to November thirtieth with the aid of and by the use of dog and gun and/or traps in the counties of Strafford and Rockingham. All fisher skins shall be sealed within ten days after the close of said season in the same manner and at the same fee as outlined in section 8. Whoever violates the provisions of this section shall be fined not less than ten dollars for the first and not more than fifty dollars for each additional fisher taken and possessed in violation hereof.

On motion of Mr. Converse of Pittsburg the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 260, relative to damage to game and hunting with dogs.

Amend section 1 of the bill by striking out in line eleven the words, "bear and" so that said section as amended shall read as follows:

1 Hunting with Dogs. Amend RSA 466:33 (supp) as amended by 1957, 154:1 by striking out the word "April" where it occurs in the fourth and fifth lines and inserting in place thereof the word, January, and by inserting after the word "supervision" in the sixth line the words, and further provided that hares and rabbits may be hunted with dogs during the open season therefor under the owner's control and supervision, so that said section as amended shall read as follows: 466:33 Dogs at Large. It shall be unlawful for the owner or custodian of any self-hunting dog to permit such a dog to run at large in territory inhabited by game birds or quadrupeds, or on lands where sheep are pastured, between January first and September first of any year, provided that bobcat may be

hunted between January first and June first with dogs under the owner's control and supervision and further provided that hares and rabbits may be hunted with dogs during the open season therefor under the owner's control and supervision. Provided that any organized club may hold an American Kennel Club licensed or sanctioned field trial on game which is otherwise protected. Said club shall secure permission from the owner of the land on which said trial is to be held, and shall notify the director of the fish and game department, at least two weeks in advance, of the date and place of the trial. Whoever violates the provisions of this section shall be fined not more than twenty dollars.

On motion of Mr. Converse of Pittsburg the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the report offered by the Committee of Conference to whom was referred:

HB 273, relating to trust companies.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HJR 37, relative to construction of armories.

HB 277, relative to grading, packing, shipping and sale of apples.

HB 356, pertaining to processed lobster meat.

HB 362, to provide extra facility licenses for the sale of lobster meat.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendment to the following bill:

SB 45, providing special licenses for lounges at municipal airports.

Correction

The following resolution, offered by the member from Concord, Mr. Newell, under his motion in reference to HB

124 as it appears on Page 5 of the Journal for Tuesday, May 16, was inadvertently omitted from the Journal of that date.

Whereas, House Bill No. 124, An Act to establish a department of safety is pending before the House of Representatives, and

Whereas questions have been raised concerning the constitutionality of said bill therefore be it

Resolved, that the Justices of the Supreme Court be respectfully requested to give their opinion on the following questions of law:

1. Would the appropriation of money for operating the proposed department of safety violate the provisions of Article 6-a, Part Second of the constitution?

2. Would the transfer of funds within and between divisions of the proposed department, as provided in section 2 of the bill, violate the provisions of Article 6-a, Part Second of the constitution?

3. Would the provisions of section 2 of the bill constitute an unconstitutional delegation of legislative power?

And Be It Further Resolved, that the Speaker of the House transmit ten copies of these Resolutions and ten copies of House Bill No. 124, as amended, to the Clerk of the Supreme Court for consideration by said Court.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to adjourn in memory of Independence Day in Norway, and to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills were read a third time by title only, passed, and sent to the Senate for concurrence:

HB 201, providing for the classification of the surface waters of the Lake Massabesic watershed.

HB 190, in amendment of Chapter 328, Laws of 1951, creating the New Hampshire Business Development Corporation.

HB 264, relating to constitutional conventions.

HB 436, authorizing cities and towns to construct moving sidewalks.

HB 235, to include wild animals with respect to open season.

HB 174, relative to the salary of the sheriff of Rockingham county.

HB 189, relating to the salaries of the Rockingham county commissioners.

HB 417, relative to reclassification of roads in Colebrook and Stewartstown and the East Side River road in the town of Milan.

Reconsideration

Mrs. Cooper of Nashua, having voted with the majority, moved that the House reconsider its vote whereby it killed HB 435, relative to observation of Veterans Day, and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

On motion of Mrs. Thompson of Tilton the House adjourned at 12:06 o'clock.

THURSDAY, MAY 18, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, George Pennington, as follows:

O God, in the quiet of this moment, we pause to recognize our desire to be guided by Thy Light and by Thy Truth. We know that it is not always easy to determine what we should say or what we should do. We know that often choice lies not between what is good and what is not good, but between alternatives each of which has its own allurements. Teach us, then, O

God of Light and Truth, to be thoughtful, to take time to weigh consequences, to measure effects by the long view and to know that in all we do or say, though we may seem to stand alone, we are ever in Thy company. Enable us, we pray, to act as in Thy constant presence. Amen.

Pledge of Allegiance to the Flag

Mr. Collishaw of Exeter led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group from the Senior Class of Exeter High School, courtesy of the Exeter Delegation.

The History class from the Henniker High School, courtesy of Mr. Carpenter from Henniker.

Leaves of Absence

Messrs. Rice of Peterborough and Szelog of Manchester were granted leave of absence for the day on account of illness.

First and Second Reading of House Bills

HB 467, imposing a tax on the sale of liquor by the glass (Daniell of Franklin) to Ways and Means.

HB 468, relative to Souhegan River Watershed Project (Taft of Greenville) to Resources, Recreation and Development.

Reconsideration

Mr. Watson of Belmont served notice that today, or some subsequent day he would ask the House to reconsider its vote whereby it concurred in the Senate amendment on HB 51, providing for open season for taking fisher.

Committee Reports

Mrs. Davis of Concord for the Committee on Finance, HJR 16, in favor of Wilbur J. Little. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Gibson of Concord for the Committee on Finance, HJR 32, in favor of Leon J. Brown. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Lang of Manchester for the Committee on Finance, SJR 7, in favor of William A. St. Cyr. Ought to pass with amendment.

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following: That the sum of two hundred eighty-nine dollars and fifty-one cents is hereby appropriated to be paid to William A. St. Cyr of Manchester to reimburse him for medical and hospital expenses and to compensate him for loss of salary incurred and sustained as a result of his incapacity due to injuries sustained by him in the line of his duty as a state trooper. This sum is in addition to any amounts payable under RSA 281. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Frizzell of Charlestown for the Committee on Judiciary, SB 50, authorizing the secretary of state to remove the names of candidates not qualified to be on the ballot. Ought to pass with amendment.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Elections. Amend RSA 56:69 by striking out said section and inserting in place thereof the following: 56:69 Withdrawal. Where a nomination has been made as herein provided, or where a candidate has duly filed according to law for a primary election, no withdrawal or declination of a candidate shall be accepted by the secretary of state subsequent to the last dates for filing as hereinbefore stated, except as provided in section 69-a.

2 Substitution of Names. Amend RSA 56 by inserting after section 69 the following new section: 56:69-a Disqualifi-

cation of Candidates. In case a person who is a candidate to be voted for at any primary or general election, for office of state senator or representative, between the date of nomination or filing and the day of election, shall make oath that he does not qualify for the public office which he seeks because of age or residence, the secretary of state may remove said person's name from the ballot and, if the ballots have not been printed, a new candidate may be substituted under the authority of the party committee of the state, town or ward as the case may require and the name of the substitute candidate shall be printed on the ballots. In the case of the office for state senator the appropriate party committee to fill such vacancies shall be the state committee of the party affected. If the ballots have been printed and time will permit the secretary of state may cause adhesive slips or pasters, without any name thereon to be printed, or authorize the same to be done and send or cause the same to be sent to the various town or city clerks representing the territory wherein the disqualified candidate was to be voted for. Said town or city clerks shall deliver said slips or pasters to the election officers before the opening of the polls, and they shall paste them in the proper place on the ballot before it is handed to the voter. Except as provided in this section or in section 71 no adhesive slips, pasters, or stickers shall be used on any ballot and their use shall invalidate that vote for all candidates for the office where they are so used.

3 Takes Effect. This act shall take effect as of January 1, 1962.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Eastman of Exeter for the Committee on Judiciary, SB 121, relative to tattooing of minors. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Healy of Manchester, Ward 6, for the Committee on Judiciary, HB 413, making it possible for trustees and custodians to invest in life insurance, endowment and annuity contracts. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Wildey of Westmoreland for the Committee on Judiciary, HB 423, relative to discharge of firearms while hunting near dwellings and on or near public or private ways. Ought to pass with amendment.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Hunting. Amend RSA 207 by inserting after section 6 the following new section: 207:6-a Hunting on Public Highways or Near Dwellings. No person shall discharge any firearm upon, along or across any public highway nor hunt thereon, nor shall any person discharge any firearm or hunt within five hundred feet of any dwelling in use except as authorized by the owner or occupant thereof. Any person violating any provision of this section shall be subject to the penalty provided for a violation of section 6. This section shall not apply to members of the armed forces or law enforcement personnel actually engaged in the performance of official duties.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, HB 350, relative to liability in the operation of air navigation facilities. Ought to pass with amendment.

Amend section 1 of said bill by adding at the end thereof the following: Provided, however, that this section shall not bar an action against a non-governmental owner, corporation, partnership or association, or such officers, agents, servants or employees, of same, if said owner is not in full compliance with the current federal and state legislation governing aeronautics and the regulations duly promulgated thereunder, nor shall this section apply as to a non-governmental owner, or such officers, agents, servants or employees in connection with such facilities operated primarily for the convenience of persons rather than for the operation and servicing of aircraft; so that said section as amended shall read as follows:

1 Privately Owned Air Navigation Facilities. Amend RSA 422:17 by striking out the same and inserting in place thereof the following: 422:17 Suits Affecting. The construction, maintenance and operation of air navigation facilities is hereby declared a public governmental function, and no action or suit shall be brought or maintained against the state, or any

county or town thereof, or any other owner of air navigation facilities which are a part of the state airways system, or their officers, agents, servants, or employees, in or about the construction, maintenance, operation, superintendence, or management of any such air navigation facility. Provided, however, that this section shall not bar an action against a non-governmental owner, corporation, partnership or association, or such officers, agents, servants or employees, of same, if said owner is not in full compliance with the current federal and state legislation governing aeronautics and the regulations duly promulgated thereunder, nor shall this section apply to a non-governmental owner, or such officers, agents, servants or employees in connection with such facilities operated primarily for the convenience of persons rather than for the operation and servicing of aircraft.

On motion of Mrs. Frizzell of Charlestown, reading of the amendment was dispensed with.

Mrs. Frizzell explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Hunter of Hampton for the Committee on Resources, Recreation and Development, HJR 35, relative to the study of aquatic nuisances. Ought to pass.

HJR 35 was referred to the committee on Appropriations under the rules.

Mr. Claffin of Wolfeboro for the Committee on Transportation, HB 286, relating to motor carriers of property. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. King of Manchester for the Committee on Appropriations, SB 8, relative to the Nesmith Trust Fund. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Goode of Manchester for the Committee on Appropriations, HB 9, relative to payment of expenses of the 1959 session of the constitutional convention. Ought to pass with amendment.

Amend the bill by striking out the first sentence of Section 1 and inserting in place thereof the following:

The sum of fifteen thousand dollars is hereby appropriated to be expended through the office of the comptroller for per diem and mileage for members attending the special session of 1959 of the constitutional convention, for payroll and mileage for attachés serving at such session, and for the printing and distribution of the journal of the proceedings of such session. so that said section as amended will read as follows:

1 Appropriation. The sum of fifteen thousand dollars is hereby appropriated to be expended through the office of the comptroller for per diem and mileage for members attending the special session of 1959 of the constitutional convention, for payroll and mileage for attachés serving at such session, and for the printing and distribution of the journal of the proceedings of such session. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vaughan of Newport for the Committee on Appropriations, HB 223, relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vaughan of Newport for the Committee on Appropriations, HB 382, relative to the construction of a dining hall at the University of New Hampshire, cost to be liquidated from income. Ought to pass.

Mr. Vaughan of Newport spoke in favor of House bills 223 and 382.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Goode of Manchester for the Committee on Appropriations, HB 443, relative to agreements with the University of Vermont. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Taft of Greenville for the Committee on Appropriations, HJR 10, relative to control of the Dutch elm disease. Inexpedient to legislate.

At the request of Mrs. Cole of Nashua, Mr. Taft explained the position of the committee.

(discussion ensued)

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Goode of Manchester for the Committee on Appropriations, HJR 18, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham, New Hampshire. Ought to pass with amendment.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

The sum of twenty thousand dollars is hereby appropriated for the period from the date of the passage hereof to June 30, 1962 and a like sum for the fiscal year ending June 30, 1963 for the purpose of contributing to the operating expenses of educational television station WENH-TV channel 11, operated by the University of New Hampshire with the advice and counsel of the New Hampshire Educational Broadcasting Council, Inc., in strict conformance with the Federal Communications Commission rules and regulations on the discussion of public issues. In addition to the appropriation hereinbefore made there is hereby appropriated a sum not exceeding twenty thousand dollars for the fiscal year ending June 30, 1962 and a like sum for the fiscal year ending June 30, 1963 which sum shall be available or any part thereof for the same purposes provided there is raised and appropriated by school districts in the state sums for the operating expenses of said educational television on an equal matching basis. The sums hereby appropriated by the state and the sums appropriated by school districts shall be expended for the operation of said television station through the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire. Any balance of the state appropriation made for the year ending June 30, 1962 may be expended in the fol-

lowing fiscal year provided that this shall not apply to the appropriation which is to be matched by school district funds. The governor is authorized to draw his warrants for the sums hereby appropriated by the state out of any money in the treasury not otherwise appropriated.

On motion of Mr. Goode of Manchester, reading of the amendment was dispensed with.

Mr. Goode of Manchester explained the amendment.

Mr. Daniell of Franklin spoke against the amendment.

Mr. Clement of Rochester and Mr. Chandler of Bartlett spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Daniell of Franklin requested a division vote.

The division being manifestly in the affirmative the amendment was adopted and the HJR was ordered to a third reading.

Miss Loizeaux of Plymouth for the Committee on Appropriations, HJR 25, providing supplemental appropriation for school building aid. Ought to pass.

On a *viva voce* vote the HJR was ordered to a third reading.

Introduction of a Bill

HB 469, establishing a division of actuarial services within the department of the legislative budget assistant, was introduced, read a first and second time and referred to the committee on Appropriations.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Senate Bill:

SB 45, providing special licenses for lounges at municipal airports.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 99, to regulate the sale and use of hydraulic brake fluids for motor vehicles. Ought to pass with amendment.

Amend section 1 by striking out lines 6 to 12 and inserting in place thereof the following:

II. Hydraulic brake fluid shall be distributed and hydraulic brake systems shall be served with due regard to the safety of the occupants of the vehicle and the public and in accordance with provisions of this section.

III. The commissioner shall adopt and publish standards and specifications for hydraulic brake fluid, which shall be correlated with and so far as practicable conformed to, the current standards and specifications of the Society of Automotive Engineers applicable to such fluid and shall approve such fluids as meet said standards and specifications, upon payment of such fee as he may determine. The commissioner may adopt and enforce regulations for the administration of this section.

On motion of Mr. Claflin of Wolfeboro the House concurred in the amendment.

Senate Messages

The Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Resolved, that the General Court meet on Wednesday, May 31, Thursday, June 1, and Friday, June 2, at the usual hour of eleven o'clock. There will be no session on Tuesday, May 30, in view of the fact it is Memorial Day.

On a *viva voce* vote the concurrent resolution was adopted.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 186, relative to licensing and bond for poultry dealers.

HB 323, defining agriculture, farming and farms.

HB 433, legalizing the proceedings of the annual school district meeting held in the town of Northwood.

HB 438, legalizing the proceedings of the annual school district meeting held in the town of Antrim on March 13, 1961.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the amendment to the following entitled bill sent up from the House of Representatives:

SB 98, relative to mufflers on motor vehicles, and requests a Committee of Conference; the President has appointed as members of said Committee on the part of the Senate Senator Buckley and Senator Lamontagne. Mr. Hunter of Hampton moved that the House accede to the request of the Honorable Senate for a committee of conference and the Chair appointed Messrs. Claffin of Wolfeboro, Barnard of Concord, Pettigrew of Manchester and McGee of Lincoln as conferees on the part of the House.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

SB 89, to amend the charter of Cheshire County Savings Bank.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 108, relating to permanent police officers.

Mr. Pickett of Keene announced that today was the birthday of Mr. Allen of Concord.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills and House Joint Resolutions were read a third time, passed, and sent to the Senate for concurrence:

HJR 16, in favor of Wilbur J. Little.

HJR 18, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham, New Hampshire.

HJR 25, providing supplemental appropriation for school building aid.

HB 413, making it possible for trustees and custodians to invest in life insurance, endowment and annuity contracts.

HB 423, relative to discharge of firearms while hunting near dwellings and on or near public or private ways.

HB 223, relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income.

HB 382, relative to the construction of a dining hall at the University of New Hampshire, cost to be liquidated from income.

HB 9, relative to payment of expenses of the 1959 session of the Constitutional Convention.

HB 443, relative to agreements with the University of Vermont.

HB 350, relative to liability in the operation of air navigation facilities.

The following Senate bill and Senate Joint Resolution were read a third time, passed, and sent to the Senate for concurrence in the House amendments.

SJR 7, in favor of William A. St. Cyr.

SB 50, authorizing the secretary of state to remove the names of candidates not qualified to be on the ballot.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 121, relative to the tattooing of minors.

SB 8, relative to the Nesmith Trust Fund.

On motion of Mrs. Tarrant of Pittsfield the House adjourned at 12:26 o'clock.

TUESDAY, MAY 23, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Donald H. Marsh, Rector of the Church of the Redeemer, Rochester:

Most gracious God, we humbly beseech Thee, as for the people of these United States in general, so especially for the Legislature of this State here assembled; that Thou wouldest be pleased to direct and prosper all their consultations, to the advancement of Thy glory, to the good of Thy Church, the safety, honour, and welfare of Thy people; that all things may be so ordered and settled by their endeavours, upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us for all generations. These and all other deeds of righteousness and justice we humbly beg in the Name and mediation of Jesus Christ, our most blessed Lord and Saviour. Amen.

Pledge of Allegiance to the Flag

Mr. Marsan of Rochester led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mr. Jennings of Concord was granted a leave of absence for the day on account of a death in the family.

Mr. Wiggin of Bedford was granted a leave of absence for the week on account of a death in the family.

Mr. Dionne of Nashua was granted an indefinite leave of absence on account of illness.

Messrs. White of Atkinson, Hunter of Hampton, Bragg of Lancaster and Mrs. Neale of Hanover were granted leave of absence for the week on account of illness.

Messrs. Normandin of Laconia, Rufo of Concord and Lemay of Manchester were granted a leave of absence for the day on account of important business.

Mr. Lang of Manchester and Miss Bailey of Newport were granted a leave of absence for the day on account of illness.

First and Second Reading of a House Bill

HB 470, providing for special motor vehicle number plates for certain legislative employees (Hancock of Concord) to Transportation.

On motion of Mr. Chandler of Bartlett, printing of the bill was dispensed with.

The Clerk read the bill in full.

Committee Reports

Mrs. Demers of Lebanon for the Committee on Education, HB 412, relative to additional grants of school building aid. Ought to pass.

HB 412 was referred to the committee on Appropriations under the rules.

Miss Faulkner of Keene for the Committee on Education, HB 363, relative to education for intellectually retarded children. Ought to pass with amendment.

Amend the bill by striking out sections 1 and 2 and inserting in place thereof the following:

1 Intellectually Retarded Children. Amend RSA 186 by inserting after section 50-c (supp) as inserted by 1957, 196:1 the following new subdivision:

Intellectually Retarded Children

186:50-d Definition. Intellectually retarded children are children who are not capable of profiting from the general educational program of the public schools. Of these children two groups are capable of profiting from specialized group instruction: (a) educable intellectually handicapped, who, at maturity, cannot be expected to attain a level of intellectual functioning greater than that commonly expected from an eleven year old, but not less than that of a seven year old; (b) trainable intellectually handicapped, who, at maturity, cannot be expected to attain a level of intellectual functioning greater than commonly expected of a seven year old and who,

for entrance into a training program, are capable of walking, of clean bodily habits and of obedience to simple commands.

186:50-e Establishment of Classes. A school district may establish for these children classes as approved by the state board of education, or may pay tuition to such an approved class maintained by another school district or by a private organization. Eligibility for this type of special education shall be determined by the school board under regulations promulgated by the state department of education.

186:50-f Costs. The state shall pay to a school district a portion of the cost of the education of each child in an approved class at the rate of one-half the state average cost per pupil for elementary pupils as determined by the state board of education under the provisions of RSA 193:4 for each resident pupil in average daily membership.

186:50-g Tuition. School districts maintaining special classes approved for the education of intellectually retarded children may charge tuition at a rate higher than the limit established by RSA 193:4, provided the tuition rate is approved by the state board of education.

2 Appropriation. The sum of \$75,000 is hereby appropriated for the fiscal year ending June 30, 1962, and the sum of \$117,000 for the fiscal year ending June 30, 1963. A sum not to exceed \$12,000 per year from these appropriations may be used by the state board of education for the salaries of personnel and related expenses involved in the administration and supervision of this program. Any amount not expended in the first year of the biennium may be expended during the second year if needed to carry out the provisions of this act. The sums hereby appropriated shall be expended by the state board of education for the purposes stated in this act. If, in any year the amount appropriated for distribution to school districts under this section is insufficient therefor, the appropriation shall be prorated proportionately among the districts entitled to a grant.

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Appropriations under the rules.

Mr. Heald of Durham for the Committee on Education, HB 213, providing for the employment and salaries of profes-

sional personnel of the state board of education and of the institutions supervised by it. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act providing for the employment and salaries of professional personnel of the Teachers Colleges and Technical Institutes.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Professional Employees of Teachers Colleges and Technical Institutes. Amend RSA 98 by inserting after section 2 the following new section: 98:2-a Salaries of Certain Professional Personnel. The number and salaries of the professional personnel employed at the teachers colleges and at the technical institutes shall be determined by the state board of education; "professional personnel" is defined as those persons who are required by the state board of education to have had professional training in education as a qualification for employment.

2 Authority of State Board. Amend RSA 186:10 by striking out said section and inserting in place thereof the following: 186:10 Officers and Employees. The state board, upon nomination of the commissioner, shall appoint and fix the terms of employment of its officers and employees. The state board, upon nomination of the commissioner, shall appoint and fix the term of employment of the presidents of the teachers colleges and the heads of the technical institutes; and upon the nominations of the presidents of the teachers colleges and the heads of the technical institutes shall appoint and fix the terms of employment of the professional employees of said several institutions. The state board shall, within the limits of the revenues received at the several institutions including sums appropriated for their support, have the power to fix the number and salaries of the professional employees so appointed.

3 Salaries. Amend RSA 94:1 (supp) as amended by 1957, 274:4 by striking out the following line: "President, teachers colleges (2), Minimum \$8866, maximum \$10192."

4 Special Appropriation. For the purpose of meeting the obligations of the state in providing funds to pay compensation to professional employees as provided by RSA 186:10

there is hereby appropriated the sum of \$150,000 for the fiscal year ending June 30, 1962, and a like sum of \$150,000 is hereby appropriated for the fiscal year ending June 30, 1963 for the same purposes. The special sums hereby appropriated shall be in addition to the appropriations provided for professional personnel at the teachers colleges and technical institutes in the so-called appropriation acts for the said fiscal years. The special appropriation under this section shall be a continuing appropriation and shall not lapse and the governor is authorized to draw his warrants for said special appropriation out of any money in the treasury not otherwise provided. Beginning with the fiscal year ending June 30, 1964, and thereafter, the state board of education shall certify to the comptroller in its operating budget the estimated amounts needed for professional personnel at the teachers colleges and the technical institutes, as determined by the state board, as a lump sum which shall be supported by salary schedules as adopted by the state board together with the number of positions at each salary level.

6 Takes Effect. This act shall take effect July 1, 1961.

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Appropriations under the rules.

Mr. Gibson of Concord for the Committee on Finance, SB 116, in favor of Milo H. Cheney. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bell of Plymouth for the Committee on Finance, SB 92, relating to retirement benefits for Hazel D. Lord, beneficiary under nomination of Edgar L. Lord. Ought to pass with amendment.

Amend the title of the bill by adding at the end thereof the words, et al, so that said title as amended shall read as follows: An act relating to retirement benefits for Hazel D. Lord, beneficiary under nomination of Edgar L. Lord, et al.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Application Extended. The retirement and election of Option 2. by the late Edgar L. Lord, an employee of the Clare-

mont School District and a member of the teachers retirement system of the state of New Hampshire and the nomination of his widow, Hazel D. Lord, his beneficiary; the retirement and election of Option 2. by the late Maurice Sargeant, an employee of the Manchester School District and a member of the teachers retirement system of the state of New Hampshire and the nomination of his widow, Marion N. Sargeant, his beneficiary; the retirement and election of Option 2. by the late Charles Robitaille, an employee of the Manchester School District and a member of the teachers retirement system of the state of New Hampshire and the nomination of his widow, Eva Robitaille, his beneficiary; the retirement and election of Option 2. by the late Allen H. Charter, an employee of the Manchester School District and a member of the teachers retirement system of the state of New Hampshire and the nomination of his widow, Gladys D. Charter, his beneficiary, under the provisions of RSA chapter 192, are hereby approved, legalized, ratified and confirmed.

The Clerk read the amendment in full.

On *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Hackler of Swanzev for the Committee on Municipal and County Government, HB 430, relative to use of municipal bond proceeds. Ought to pass with amendment.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Municipal Finance Act. Amend RSA 33 by inserting after section 3 the following new section:

33:3-a Use of Bond Proceeds. The proceeds of any sale of bonds or notes, excepting premiums, shall be used only for the purposes for which the loan was incurred, except as otherwise authorized by this section. If after notes or bonds have been issued and no expenditure of the funds received has been made for the purpose or purposes for which the debt was incurred or if a balance remains after the completion of the project or projects for which the debt was authorized, a city by vote of two thirds of the members of the city council, or a town, school district or village district by vote of two thirds of the voters present and voting at an annual meeting, and a county by a two thirds vote of all the members of the county

convention may authorize the expenditure of the sum or sums on hand for a similar purpose or purposes or for any purpose or purposes for which bonds or serial notes may be issued for an equal or longer period of time at any time while said sum or any portion remains available; provided however that if the sum obtained by the issuance of bonds or notes, as aforesaid, or any balance thereof is not appropriated as aforesaid, then the same shall be used to pay the principal of the loan as it matures. Any premium received upon the issuance of such bonds and notes, less the cost of preparing, issuing and marketing them shall be applied to the payment of the principal of the bonds or notes first to mature. Notwithstanding the provisions of this section, no appropriation for a loan or balance thereof shall be made which will increase the amount available from borrowed money for any purpose to an amount in excess of any limit imposed by general law or special act for such purpose.

On motion of Mr. Deans of Milford reading of the amendment was dispensed with.

Mr. Deans of Milford explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Langford of Raymond for the Committee on Municipal and County Government, HB 457, legalizing the proceedings of the annual school district meeting held in the town of Auburn on March 10, 1961. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Watson of Belmont withdrew his notice of reconsideration on HB 51, providing for open season for taking fisher.

Report of Committee on Engrossed Bills

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House and Senate Joint Resolutions:

SB 8, relative to the Nesmith Trust Fund.

SB 89, to amend the charter of Cheshire County Savings Bank.

HJR 22, in favor of Florence Pushee.

HJR 31, in favor of Nathan and Leona Mace.

SJR 3, to provide for the appointment of an interim commission on education to study the organization of school districts and the higher educational facilities in the state.

HB 222, regulating the provisions for selling and serving milk.

HB 277, relative to grading, packing, shipping and sale of apples.

HB 323, defining agriculture, farming and farms.

HB 433, legalizing the proceedings of the annual school district meeting held in the town of Northwood.

HB 438, legalizing the proceedings of the annual school district meeting held in the town of Antrim on March 13, 1961.

HB 444, legalizing the Walpole Village District meeting held on April 7, 1961.

HB 445, legalizing the Walpole Fire District meeting held on April 7, 1961.

HB 135, relative to powers of county convention over appropriation transfers.

HB 186, relative to licensing and bond for poultry dealers.

SB 121, relative to the tattooing of minors.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 199, relating to the salaries of the mayor and councilmen of the city of Franklin.

Amend section 1 of said bill by striking out in line three thereof the words "the sum of fifteen dollars" and substituting in place therefor the words, a sum to be established by the council after notice and public hearing, so that said section as

amended shall read as follows: 1 Payment to Councilmen. Amend chapter 260 of the laws of 1893 by inserting after section 11 the following new section: 11-a Each councilman shall be paid from the city treasury a sum to be established by the council after notice and public hearing for each regular monthly meeting of the city council which he attends, but not exceeding twelve meetings in any year. Said sums shall be paid to each councilman quarter-annually and shall be in full payment for all services of any and every kind rendered by him as councilman.

Further amend said bill by striking out in lines four and seventeen of section 2 thereof the words "of two thousand dollars" and substituting in place therefor the following, to be established by the council after notice and public hearing, so that said section as amended shall read as follows: 2 Salary of Mayor. Amend section 12 of chapter 260 of the laws of 1893 by striking out the last sentence and inserting in place thereof the following: The mayor shall be paid out of the city treasury an annual salary to be established by the council after notice and public hearing, payable quarter-annually, which shall be in full for all services of any and every kind rendered by him in said office. The mayor shall not be paid any fixed sum as an expense account but shall be reimbursed only for such specific expenses made by him in connection with his office as may be authorized and approved by the council prior to being incurred, so that said section as amended shall read as follows: Sec. 12 The mayor of said city shall be chosen annually, and shall have a negative upon all the actions of the council to which his veto power would extend had the city government herein constituted provided for a board of aldermen. He shall preside in the meetings of the city council, but shall have no vote except in case of an equal division. In his absence the council may elect one of their number chairman, who shall have all the powers and perform all the duties of mayor during his absence or disability, or a vacancy in said office from any cause. The mayor shall be paid out of the city treasury an annual salary to be established by the council after notice and public hearing, payable quarter-annually, which shall be in full for all services of any and every kind rendered by him in said office. The mayor shall not be paid any fixed sum as an expense account but shall be reimbursed only for such specific expenses made by him in connection with his office as may be

authorized and approved by the council prior to being incurred.

On motion of Mr. Charland of Franklin the House non-concurred in the Senate amendments and a committee of conference was appointed as follows: Messrs. Deans of Milford, Gilman of Franklin and Daniell of Franklin as House conferees.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 135, relative to powers of county convention over appropriation transfer.

HB 444, legalizing the Walpole Village District meeting held on April 7, 1961.

HB 445, legalizing the Walpole Fire District meeting held on April 7, 1961.

HJR 22, in favor of Florence Pushee.

HJR 31, in favor of Nathan and Leona Mace.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 133, to enlarge the rights of students under twenty-one years of age to contract to borrow money to finance higher education.

SB 74, relative to completion of state highway project in the town of Andover.

SB 129, relative to the department of employment security.

Senate Bills Read and Referred

SB 133, to Education.

SB 74, to Public Works.

SB 129, to Executive Departments and Administration.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the

following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 393, relative to assessments by insurance firms.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Fees. Amend RSA 405 by inserting after section 37 thereof, the following new section 405:38 Fees. No fee for the license aforesaid shall be required of any agent of an insurance company whose license fees as such agent amount to ten dollars; and in case his license fees as such agent are less than ten dollars, then he shall be required to pay such amount as with such fees shall amount to ten dollars.

2 Takes Effect. This act shall take effect upon its passage.

On motion of Mr. Hancock of Concord the House non-concurred in the Senate amendment and a committee of conference was appointed as follows: Messrs. Hancock of Concord, Brewster of Pittsfield and Coutermarsh of Lebanon as House conferees.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 198 (Revised), relative to the sale of liquor and beverages on Sundays by first-class restaurants.

Amend the title of the bill by striking out the words "and election days" so that said title as amended shall read as follows, AN ACT relative to the sale of liquor and beverages on Sundays by first-class restaurants.

Further amend said bill by striking out in line five of section 1 thereof the words " or election days while the polls are open" so that said section as amended shall read as follows: 1 First-Class Restaurants. Amend RSA 176 by inserting after section 11 the following new section: 176:11-a Sales. Notwithstanding the provisions of section 11 any first class restaurant holding a license under the provisions of RSA 178:3-a may

make sales of liquor or beverages on Sundays but only to bona fide guests with meals in the restaurant dining room.

On motion of Mr. Collishaw of Exeter the House concurred in the Senate amendments.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, in new title and new draft, in the passage of which new title and new draft the Senate asks the concurrence of the House of Representatives:

HB 63 (In new title and new draft), providing for seasons for the taking of deer.

AN ACT

providing for seasons for the taking of deer.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Wild Deer. Amend RSA 208:2 (supp) as amended by 1955, 264:1 by striking out in the third, fourth and fifth lines the words "In the counties of Grafton, Coos and Carroll from November first to November thirtieth and in all other counties of the state from December first to December twenty-first" and inserting in place thereof, from November twenty-fourth through November thirtieth inclusive, in all counties of the state; and from November third through November twenty-third inclusive northerly of a line described as follows: Beginning at a point on the Connecticut River one and one-half miles North, twelve degrees East of the bench mark at Haverhill and thence South, eighty degrees East true bearing to a point on the Appalachian Trail Way in Kinsman's Notch, thence Northeasterly along said Appalachian Trail Way crossing U. S. Route 3 in Franconia Notch and continuing along said Appalachian Trail Way in a North and Easterly direction crossing U. S. Route 302 at Crawford Notch State Park, thence continuing along said Appalachian Trail Way in a Northeasterly direction to the Summit of Mt. Washington, thence Southerly along the Davis Path to the Glen Boulder Trail, and thence South and Easterly along the Glen Boulder Trail to the Glen Ellis Falls and thence Southerly along the Ellis River to the Coos-Carroll County line and thence Easterly along said County line to the State of Maine; and from Decem-

ber first through December twelfth inclusive southerly of the above described line, so that said section as amended shall read as follows:

208:2 Taking, Time. Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset, from November twenty-fourth through November thirtieth inclusive in all counties of the state; and from November third through November twenty-third inclusive northerly of a line described as follows: Beginning at a point on the Connecticut River one and one-half miles North, twelve degrees East of the bench mark at Haverhill and thence South, eighty degrees East true bearing to a point on the Appalachian Trail Way in Kinsman's Notch, thence Northeasterly along said Appalachian Trail Way crossing U. S. Route 3 in Franconia Notch and continuing along said Appalachian Trail Way in a North and Easterly direction crossing U. S. Route 302 at Crawford Notch State Park, thence continuing along said Appalachian Trail Way in a Northeasterly direction to the Summit of Mt. Washington, thence Southerly along the Davis Path to the Glen Boulder Trail, and thence South and Easterly along the Glen Boulder Trail to the Glen Ellis Falls and thence Southerly along the Ellis River to the Coos-Carroll County line and thence Easterly along said County line to the State of Maine; and from December first through December twelfth inclusive southerly of the above described line, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

2 Takes Effect. This act shall take effect October 1, 1961.

On motion of Mr. Spalding of Plainfield the House non-concurred in the Senate amendment and the bill was referred to a committee of conference.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 260, relative to damage to game and hunting with dogs. Ought to pass with amendment.

Amend section 1 of said bill by striking out the first line and inserting in place thereof the following:

1 Hunting with Dogs. Amend RSA 466:33 (supp) as amended by 1957, 154:1 and 1961, 126:1

On motion of Mr. Spalding of Plainfield the House concurred in the report.

Resolutions

Messrs. Geisel and Ecker of Manchester offered the following resolutions:

Whereas, we have learned of the closing of the plant of R. G. Sullivan, Inc. in the city of Manchester, and

Whereas, this plant established in the late eighteen hundreds by the late Roger G. Sullivan has become nationally known because of the excellence of its product, the 7-20-4 cigar, and

Whereas, this plant which has remained in the ownership of its founder, Roger G. Sullivan, down through the years until the present time, because of its high standards and the continued employment of skilled labor has made a substantial contribution to the economy and growth of the city of Manchester, now therefore be it

Resolved, that the House of Representatives, the Senate concurring, pay tribute to this concern for the part it has played in the development of the city's industry and express our sincere regret that R. G. Sullivan, Inc. will no longer be operating in the city of Manchester, and be it further

Resolved, that the clerk send a copy of these resolutions to Joseph W. Epply, President of R. G. Sullivan, Inc.

On a *viva voce* vote the resolutions were adopted.

The Chair welcomed the following members back to the House after long illnesses: Messrs. Soucy of Manchester, Wiggin of Dover and Brocklebank of Hollis.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session**Third Readings**

SB 116, in favor of Milo H. Cheney, was read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 92, relating to retirement benefits for Hazel D. Lord, beneficiary under nomination of Edgar L. Lord, et al, was read a third time, passed and sent to the Senate for concurrence in the House amendment.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 430, relative to use of municipal bond proceeds.

HB 457, legalizing the proceedings of the annual school district meeting held in the town of Auburn on March 10, 1961.

The Chair also announced that today is the birthday of Mr. White of Derry.

On motion of Mrs. Ainley of Manchester the House adjourned at 11:52 o'clock.

WEDNESDAY, MAY 24, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend Donald Osgood of St. Joseph's Cathedral of Manchester, as follows:

Pour forth we beseech Thee O Lord, the Spirit of Truth into our minds and hearts today. Enlighten our understanding and quicken our judgment, deepen our wisdom and increase our knowledge, strengthen our fortitude and inspire our piety with a true filial devotion for what is right and just.

Keep us ever under Thy watchful eye and protective hand and guide our faltering footsteps into the ways of truth and holiness. Help us to forget our personal ambitions and grant that we may always seek the greater good of uniting the creature with the Creator, the sheep with the Shepherd,

and this we ask in the name of Him who taught us to pray: "Our Father who art in heaven, hallowed be Thy name; Thy kingdom come; Thy will be done on earth as it is in heaven. Give us this day our daily bread; and forgive us our trespasses as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil, Amen."

Pledge of Allegiance to the Flag

Mr. Carter of North Hampton led the Convention in the Pledge of Allegiance to the Flag.

The Chair introduced to the Joint Convention New Hampshire Dairy Princess Miss Carol Jean Holmes, selected as Dairy Princess last June 7 at the Dairy Festival held in Pembroke. She is sponsored by the New Hampshire Dairy Month Committee. Miss Holmes' home is in Walpole, and is a large dairy farm, and she is the proud owner of several dairy cattle.

She was accompanied by a member of her Court: Miss Nancy Osgood of Pittsfield.

Miss Holmes addressed the Joint Convention briefly.

On motion of Senator Sawyer from the 4th District the Convention rose.

House

The Chair introduced the following groups as guests of the House today:

A group of 7th and 8th grade students from the Orford school, courtesy of Mr. Cushman of Orford.

A group of 4th grade students from the North Hampton school, courtesy of Mr. Carter of No. Hampton.

A group of Republican women from Rockingham and Strafford counties.

Leaves of Absence

Miss Bailey of Newport and Messrs. Bascom of Acworth, Nickerson of Tamworth and Quinn of Concord were granted leaves of absence for the day on account of important business.

Mr. Asby of Canterbury was granted leave of absence for today and Thursday on account of important business.

Mr. Sablusi of Nashua was granted leave of absence for the day on account of illness.

First and Second Reading of House Bills

HB 471, relative to the salaries of the secretary of state and the state treasurer (Committee on Rules — Goode of Manchester) to Appropriations.

HJR 38, providing funds for improving the acoustics in representatives hall (Committee on Rules — Clement of Rochester) to Appropriations.

Committee Reports

Mrs. Demers of Lebanon for the Committee on Education, SB 112, increasing the powers of the college of advanced science. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Demers of Lebanon for the Committee on Education, SB 126, for the encouragement of community colleges. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Eaton of Hillsborough for the Committee on Executive Departments and Administration, HB 165, relative to expenditure of state appropriations. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Deficit Control by Advisory Budget Committee. Amend RSA 9 by inserting after section 11 the following new section: 9:11-a Deficit Control. During the last month of each regular session of the general court, the speaker shall appoint five members of the house, not more than three of whom shall be members of the same political party; and the president of the senate shall appoint three members of the senate, not more than

two of whom shall be members of the same political party; and these appointees, with the governor, the legislative budget assistant, the director of accounts, and the state treasurer shall constitute the advisory budget committee. Vacancies in legislative membership of the advisory budget committee shall be filled by the presiding officer of that branch of the general court in which said member holds office, or if there be no presiding officer such vacancies shall be filled by the chairman of the appropriations committee of the house or by the chairman of the finance committee of the senate as the case may be. Chairman and executive director of the advisory budget committee shall be the governor, who may call the advisory budget committee into conference at such time as in the opinion of the governor may be for the public interest. Such a conference shall be called at least once during each calendar month during which expenditures are allocated by said advisory budget committee. Should it be determined by the director of accounts that during three consecutive months there has occurred such a decline in state revenues as would, if continued, cause a serious deficit in the state budget, the director of accounts shall immediately report the fact to the governor. On receipt of such report, the governor may request allocation of expenditures by the advisory budget committee. Should a majority of the advisory budget committee then find that state revenue has been so deficient as to make probable serious imbalance in the state budget, the governor may submit a proposed allocation of expenditures within all or any departments of the state government that shall limit the rate of expenditures so that in relation to such reduced revenues, such new rates will not result in the incurrence of further state debt. With the concurrence of a majority of the advisory budget committee the governor may immediately institute said allocations to reduce expenditures. Upon the establishment of such allocations of funds, it shall be the continuing duty of the advisory budget committee to review their application from time to time and to continue on revise such allocations or to terminate application of allocations as the advisory budget committee shall from review find necessary or advisable.

HB 165 was laid on the table for printing of the amendment.

Mr. Downing of Newport for the Committee on Public Works, HB 16, naming the Kancamagus Highway. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Hill of Conway for the Committee on Ways and Means, SB 56, relative to motor vehicle fees. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Allen of Rindge for the Committee on Ways and Means, HB 439, relating to the conduct of sweepstake races and the sale of tickets thereon. Inexpedient to legislate.

The undersigned, a minority of the Committee on Ways and Means. Ought to pass.

Edward W. Morris
Frank C. Sablusi
Wilfred J. Larty
Margaret B. DeLude
Walter P. Kretowicz
William J. Cullity
Carroll A. Hill

Mr. Kearns of Manchester moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Allen of Rindge moved that further consideration of HB 439 be indefinitely postponed and spoke in favor of the motion.

Mr. O'York of Dover spoke in favor of the motion.

(discussion ensued)

Messrs. Coutermarsh of Lebanon, Pickett of Keene and Angus of Claremont spoke against the motion.

The question being, shall HB 439 be indefinitely postponed.

Mr. O'York of Dover demanded the Yeas and Nays.

(Mr. Bigelow of Warner in the Chair)

YEAS 101

STRAFFORD COUNTY: Berry, Wiggin of Dover, Grimes, O'York, Fellows, Stonemetz, Colbath, Richardson, Bevan,

Heald, Littlehale, Adams of Madbury, Reid, Maxfield, Johnson of Rochester, Clement, Green of Rollinsford.

BELKNAP COUNTY: Rollins, Watson of Belmont, Lord, Prescott, Jones, Urie, Joslyn.

CARROLL COUNTY: Kurth.

MERRIMACK COUNTY: Keneval, Hutchinson, Gibson, Peaslee, Sanders, Newell of Concord, McKay, Keith.

HILLSBOROUGH COUNTY: Hambleton, Jennings of Goffstown, Taft, Pickering, Martel, Deans, Buckley, Cole, Cooper, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, Watkinson, Parker, Bennett, Faulkner, Miskelly, Oliver, Allen of Rindge, Crain, Hackler, Frost, Sawyer.

SULLIVAN COUNTY: Frizzell, Campbell, Williamson, Downing, Merrifield.

GRAFTON COUNTY: Plumer, Chandler of Canaan, Bowler, Hayward of Hanover, Adams of Lebanon, Beard, Porter, Whipple, Hill of Littleton, Martin, Haskins, Bell, Loizeaux.

COOS COUNTY: Marsh, Emerson, Kimball of Jefferson, Shute, Taylor of Whitefield.

ROCKINGHAM COUNTY: Griffin, Spollett of Chester, Deming, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Casassa, Clark of Kingston, Shepard, Cheney, Carter, McDaniel, Bowles, Chandler of Portsmouth, White of Portsmouth, Ward 4, Langford, Greene of Rye, Roulston, Waterhouse.

NAYS 240

STRAFFORD COUNTY: Blanchette, Leighton, Flanagan, Drew, Rolfe, Marsan, Watson of Rochester, Potvin, St. Pierre, Varney, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Matheson, Robertson, Lacaille, McCarthy, Harkins, Normandin, Stothart, Dulac, O'Shan, MacIsaac, Allan of Meredith, Smith, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Fox, Chamberlain, Claffin.

MERRIMACK COUNTY: Guilbeault, Phelps, Hanson, Moore, Allen of Concord, York, Davis of Concord, Henry, Audet, Hancock, Bingham, Seamans, Lovejoy, Barnard, Gove, Welch,

Brown of Danbury, Stevens, Gilman of Franklin, Charland, Dempsey, Carpenter, Broek, Mulaire, Brown of Loudon, London, Thompson of Northfield, Plourde, Thibeault, Tarrant.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Aucella, Farwell, Bartlett, Nickerson of Goffstown, Eaton, Brocklebank, Claveau, Gallagher, Provencal, Warren, Pettigrew, Geisel, Mahony, Bruton, Hart, Hayes, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Clancy, Ecker, Healy of Manchester, Ward 6; O'Conner, Lafrance, Leclerc, Plante, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, Ward 8; Cary, Morris, Belanger, Bergeron, Kearns, King, Hurley, Noel, Roche, Demas, Lemay, Levasseur, Nalette, Allard, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Crowley, Gamache, Vachon, Falconer, Hayward of Milford, Milliken, Underhill, Dionne of Nashua, Ward 2; Rosedoff, Belcourt, Kirkorian, Brosnahan, Sullivan, Maynard, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Locke, Karnis, Peabody, Draper.

CHESHIRE COUNTY: O'Neil, Gowing, Turner, Clark of Harrisville, Stearns, Cournoyer, Desmarais, Keating, Terrill, Brown of Keene, Kretowicz, Pickett, Congdon, Wildey.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Angus, Nahill, Barrows, D'Amante, Desnoyer, Guest, Weber, Spalding.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Willey, Morse, Johnson of Franconia, Gage, Low, LaMott, Larty, Karsten, Coutermarsh, Demers, McGee, Collyer, Kinghorn, Barney, Avery, Bradley, Anderson, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Ledoux, Oakes, Crockett, Graham, Bushey, Converse, Brooks, Stinson.

ROCKINGHAM COUNTY: Vey, Persson, Scott of Deerfield, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Spollett of Hampstead, Jenkins, Hislop, Sewall, Twardus, Palmer, Driscoll, Keefe, Murch, Stafford, Osborn, Ingraham, White of Portsmouth, Ward 5; Carkin, Cross, Magoon, Felch, Barker.

Mr. McAllister of Barnstead, voting Yes, paired with Mrs. Potter of Northumberland voting No.

Mrs. Ainley of Manchester voting Yes, paired with Mrs. DeLude of Unity voting No.

and the motion to indefinitely postpone was lost.

The question now being on the motion to substitute the words, Ought to Pass, for the words, Inexpedient to Legislate.

On a *viva voce* vote the motion was adopted.

Mr. Pickett of Keene offered the following amendment and moved its adoption:

Amend said bill by striking out section 3 and inserting in place thereof the following:

3 Referendum. The secretary of state shall insert on the ballots at the biennial election in 1962 the following question: "Shall the provisions of an act entitled 'An act relating to the conduct of sweepstake races and the sale of tickets thereon' be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, and the voter shall indicate his choice by making a cross in the appropriate square. If a majority of those voting on this question vote in the affirmative, this act shall be declared to have been adopted.

4 Takes Effect. Section 3, referendum, of this act shall take effect upon its passage, and if adopted at the biennial election in 1962 as authorized under said section the remainder of this act shall take effect January 1, 1963.

The Clerk read the amendment in full.

Mr. Pickett explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to place HB 439 on third reading and final passage, by title only, at the present time.

Third Reading

HB 439, relating to the conduct of sweepstake races and the sale of tickets thereon, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Angus of Claremont, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 439, and spoke against the motion.

On a *viva voce* vote the motion was lost.

(Speaker in the Chair)

On motion of Mr. Angus of Claremont the rules of the House were so far suspended as to vacate the order whereby SB 129, relative to the department of employment security, was referred to the Executive Departments and Administration committee and it was referred to the committee on Labor.

Report of Committee on Engrossed Bills

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 356, pertaining to processed lobster meat.

HB 362, to provide extra facility licenses for the sale of lobster meat.

Senate Messages

The Senate Message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 273, relating to trust companies.

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1 Minimum Par Value of Capital Stock. Amend RSA 392:25 and 392:26 by striking out said sections and inserting in place thereof the following new sections: 392:25 Limits; Shares. The capital stock of such

On motion of Mr. Bigelow of Warner the House concurred in the amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled House and Senate bill:

HB 260, relative to damage to game and hunting dogs.

SB 99, to regulate the sale and use of hydraulic brake fluids for motor vehicles.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendment to the following bill:

SB 50, authorizing the secretary of state to remove the names of candidates not qualified to be on the ballot.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following joint resolution and bill:

SJR 7, in favor of William A. St. Cyr.

SB 92, relating to retirement benefits for Hazel D. Lord, beneficiary under nomination of Edgar L. Lord, et al.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill: HB 393, relative to assessments by insurance firms and the President has appointed as members of said Committee on the part of the Senate: Senator Dunlap and Senator Bergeron.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill: HB 199, relating to the salaries of mayor and councilmen of the city of Franklin and the President has appointed as members of said Committee on the part of the Senate: Senator Cleveland and Senator Phillips.

Resolutions

Mr. Kearns of Manchester and Mr. Deans of Milford offered the following resolutions:

Whereas, Mrs. Mary F. Wiggin of Bedford, widow of George F. Wiggin, has passed away, and

Whereas, She was the mother of Ralph M. Wiggin, Sr., Representative from Bedford, and of J. Walker Wiggin of Manchester, President of the Constitutional Convention and former Speaker of the House, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend our deep sympathy to the family of Mrs. Wiggin in its bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative Wiggin and to President Wiggin copies of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

Miss Spollett of Hampstead offered the following resolutions:

Whereas, George W. White, Representative from Atkinson, is very ill in Hale Hospital, Haverhill, Massachusetts, on the danger list following an emergency operation, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend our sympathy to our Fellow Member in his illness and our best wishes for a speedy recovery, and be it further

Resolved, That the Clerk of the House transmit to Representative White a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Maynard of Nashua offered the following resolutions:

Whereas, John B. Dionne, Representative from Ward 6, Nashua, is very ill in St. Joseph's Hospital of Nashua, therefore be it

Resolved, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend our sympathy to our Fellow Member in his illness and our best wishes for a speedy recovery, and be it further

Resolved, That the Clerk of the House transmit to Representative Dionne a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session**Third Readings**

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 112, increasing the powers of the college of advanced science.

SB 126, for the encouragement of community colleges.

HB 16, naming the Kancamagus Highway, was read a third time, passed, and sent to the Senate for concurrence.

Communications

May 22, 1961.

Mr. Stewart Lamprey
Speaker of the House of Representatives
State House
Concord, N. H.,

Mr. Speaker,

May I take this opportunity to express my deep and sincere appreciation to the members of the General Court for the countless cards, calls and messages of good cheer I received during my stay in the hospital. It meant much to me to be remembered.

I especially want to thank the members for the "get well" resolution adopted in my behalf.

My special thanks to you Mr. Speaker for your several calls at the hospital and your interesting reports on the legislative proceedings. I hope to be back in Concord before long.

Most sincerely yours

Mary S. Brown
Representative from Sandwich.

May 19, 1961

The Honorable Members of the
House of Representatives
State of New Hampshire
State House
Concord, New Hampshire

Gentlemen:

It is with honor and grateful appreciation that we acknowledge receipt of the Resolution of the General Court on the death of our father, Alvin F. Redden. We will cherish it always with the knowledge that he served his State and the people of this particular area without thought of self.

With sincere appreciation
His daughters,
Margery and Louise Redden

On motion of Mrs. Cary from Manchester the House adjourned at 12:36 o'clock.

THURSDAY, MAY 25, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, Reverend George Pennington, in commemoration of Memorial Day as follows:

We pause in this legislative day to offer a memorial to all who have gone before us and into whose heritage we have entered. Our prayer is made with a sense of indebtedness, O God, to men of peace who fell in war while safeguarding human values. Yet, through the years Memorial Day has grown from a recognition of soldiers fallen, to include our appreciation for loved ones, missed but not forgotten.

How, then, our Father, can we best make our memorial? Endow us, we pray, with a sense of appreciation that will cause us to multiply the love, the goodness, the thoughtfulness and the strength with which we have been blessed by others.

As we execute the tasks of this day make us mindful that by our sides walk men and women who in their time have borne the duties which today are ours. May it be that we will sense their hope, their courage and their vision, that the time given to us we may make a fitting memorial to the spirit that makes this State Legislature great. Amen.

Mr. Pickett of Keene sang the Lord's Prayer.

Pledge of Allegiance to the Flag

Mr. Tufts of Exeter led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following as guests of the House today:

Mrs. Wodiong of Nigeria, courtesy of Miss Faulkner of Keene.

A group of 5th and 6th grade students from the Raymond schools, courtesy of Mr. Langford from Raymond.

A group of Exeter High School Seniors, courtesy of the Exeter Delegation.

A group of 6th grade pupils from the Exeter elementary school, courtesy of the Exeter Delegation.

A group of 4th grade pupils from the Hampton Falls School.

Leaves of Absence

Messrs. Pinkham of Northwood, Gay of Derry, Geisel and Chapdelaine of Manchester were granted leave of absence for the day on account of important business.

Mr. Rosedoff of Nashua was granted an indefinite leave of absence on account of important business.

First and Second Reading of House Bills

HB 472, prohibiting hunting in the town of Newington except under certain conditions (Hislop of Newington) to Fish and Game.

HB 473, relative to the state council on aging (Roulston of Salem) to Executive Departments and Administration.

HB 474, to increase the salary of the clerk of the Manchester municipal court (King of Manchester) to Manchester Delegation.

HB 475, providing for the taxation of banks (Chandler of Bartlett) to Ways and Means.

HB 476, changing the name of the New Hampshire Tuberculosis Association (King of Manchester) to Judiciary.

Reconsideration

Mr. Newell of Concord, having voted with the majority, served notice that today or some subsequent day he would ask the House to reconsider its vote whereby it killed SB 56, relative to motor vehicle fees.

Committee Reports

Mr. Karkavelas of Dover for the Committee on Appropriations, HB 46, providing for salaries for classified state employees. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following: An Act providing for salaries for classified and unclassified state employees.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Classified State Employees. Amend RSA 99:1 (supp) as amended by 1957, 274:1 by striking out said section and inserting in place thereof the following: 99:1 Salaries Established. I. The salary ranges for all classified state employees excepting those in engineering positions shall be established as follows:

Salary grade	Minimum	Maximum
1	\$2,737.80	\$3,115.84
2	2,824.90	3,200.86
3	2,910.96	3,285.88
4	2,963.48	3,460.60
5	3,081.26	3,575.26
6	3,196.70	3,688.62
7	3,311.10	3,801.20

8	3,391.96	4,001.14
9	3,535.74	4,141.80
10	3,647.02	4,370.08
11	3,819.40	4,539.34
12	4,008.16	4,728.10
13	4,197.18	4,917.12
14	4,386.46	5,106.40
15	4,533.36	5,413.46
16	4,764.24	5,644.34
17	4,963.66	5,963.62
18	5,226.00	6,226.22
19	5,457.40	6,577.22
20	5,751.46	6,871.28
21	6,045.00	7,165.08
22	6,339.06	7,459.14
23	6,580.86	7,900.88
24	6,927.18	8,247.08
25	7,273.50	8,593.52
26	7,567.56	9,087.78
27	7,966.66	9,486.62
28	8,365.50	9,885.72
29	8,764.86	10,284.82
30	9,163.96	10,683.92

II. The salary ranges for all classified state employees in engineering positions determined to be such by the governor and council shall be established as follows:

Salary grade	Minimum	Maximum
11	\$4,487.34	\$5,351.32
12	4,712.24	5,576.22
13	4,937.40	5,801.12
14	5,162.30	6,026.28
15	5,291.26	6,148.22
16	5,400.20	6,412.38
17	5,628.74	6,778.72
18	5,928.00	7,078.24
19	5,947.24	7,179.12
20	6,269.38	7,501.26
21	6,591.00	7,823.14
22	6,913.14	8,145.28
23	7,177.04	8,629.66
24	7,557.16	9,009.26
25	7,605.52	9,259.64

26	7,913.62	9,509.76
27	8,311.68	9,927.84
28	8,749.52	10,345.92
29	9,167.86	10,763.74
30	9,985.82	11,181.82

2 Interpretations of Provisions. Amend RSA 99:3 (supp) as amended by 1957, 274:2 by striking out said section and inserting in place thereof the following: 99:3 Increases in Salary. Classified employees of the state on July 1, 1961 shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their annual salaries shall be in accordance with the salary scale set forth in section 1. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

3 Appropriations. There are hereby appropriated for the fiscal year ending June 30, 1962 for the salary increases for classified state employees as provided herein, the following sums: \$1,324,506.19 from the general funds of the state, \$761,745.26 from highway funds, \$80,767.96 from fish and game funds, \$173,525.13 from federal funds and \$76,740.43 from self-sustaining funds. Like amounts chargeable to the same funds are hereby appropriated for the fiscal year ending June 30, 1963.

4 State Officials. Amend RSA 94:1 (supp) as amended by 1955, 153:2; 321:1; 323:4, 6; 335:8; 1957, 90:1; 223:2; 274:4, 7; 315:2. 1959, 199:4, 268:12 by striking out said section and inserting in place thereof the following: 94:1 Salaries Established. The annual salaries for the positions set forth shall be as follows:

Governor	\$16,587.22
Chief justice, supreme court	16,587.22
Chief justice, superior court	16,587.22
Associate justice, supreme court	16,062.02
Associate justice, superior court	16,062.02
Racing commissioners (3)	2,412.02
State entomologist	3,422.12

	Minimum	Maximum
Adjutant general	\$9,621.04	\$10,947.04
Assistant attorneys general (4)	8,993.14	10,241.14

Assistant bank commissioner	7,500.22	8,850.14
Assistant business supervisor	7,765.16	8,831.16
Assistant commissioner public works and highways	10,249.20	11,653.20
Assistant state librarian	7,137.00	8,125.00
Assistant superintendent, state hospital	10,634.00	12,220.00
Attorney general	11,478.22	13,064.22
Bank commissioner	10,866.18	12,192.18
Business supervisor	8,993.14	10,241.14
Chairman, water resources board	8,993.14	10,241.14
Clerk of supreme court and court reporter	8,993.14	10,241.14
Commandant, soldiers' home	5,035.16	5,711.16
Commissioner of agriculture	9,621.04	10,947.04
Commissioner of education	12,000.04	14,800.24
Commissioner of public welfare	11,478.22	13,064.22
Commissioner of public works and highways	12,106.12	13,770.12
Commissioner of the department of employment security	9,621.04	10,947.04
Comptroller	11,478.22	13,064.22
Deputy attorney general	10,249.20	11,653.20
Deputy bank commissioner	8,365.24	9,535.24
Deputy commissioner of education	9,621.04	10,947.04
Deputy commissioner of public works and highways	10,249.20	11,653.20
Deputy director, New Hampshire distributing agency	7,441.20	8,381.10
Deputy director of personnel	7,765.16	8,831.16
Deputy director of recreation	7,765.16	8,831.16
Deputy insurance commissioner	8,365.24	9,535.24
Deputy labor commissioner	6,509.10	7,393.10
Deputy motor vehicle commissioner	8,365.24	9,535.24
Deputy secretary of state	7,765.16	8,831.16
Deputy state treasurer	7,765.16	8,831.16
Deputy superintendent, industrial school	5,908.24	6,688.24
Deputy superintendent, Laconia state school	10,634.00	12,220.00
Deputy warden, state prison	5,908.24	6,688.24
Director, charitable trusts	4,197.18	5,255.12
Director, division of accounts	8,993.14	10,241.14
Director, division of purchase and property	8,993.14	10,241.14

Director of aeronautics	7,765.16	8,831.16
Director of civil defense	7,137.00	8,125.00
Director of clinical services	10,634.00	12,220.00
Director of correctional psychology	10,634.00	12,220.00
Director of fish and game	9,621.04	10,947.04
Director, mental hygiene and child guidance clinics	9,621.04	10,947.04
Director, New Hampshire distributing agency	7,546.24	8,586.24
Director, out-patient services	10,634.00	12,220.00
Director of personnel	8,993.14	10,241.14
Director of probation	8,365.24	9,535.24
Director of psychiatric education and research	10,634.00	12,220.00
Director of recreation	9,621.04	10,947.04
Director, veterans council	5,281.12	5,983.12
Executive director of planning and development	9,621.04	10,947.04
Farm supervisor	7,765.16	8,831.16
Insurance commissioner	9,621.04	10,947.04
Labor commissioner	8,365.24	9,535.24
Liquor commissioner (3)	8,993.14	10,241.14
Motor vehicle commissioner	9,621.04	10,947.04
Parole officer	6,509.10	7,393.10
President, teachers college (2)	9,621.04	10,947.04
Public Utilities commissioner (3)	10,249.20	11,653.20
Secretary of state	8,993.14	10,241.14
Secretary, tax commission	10,249.20	11,653.20
State fire marshal	7,765.16	8,831.16
State forester	9,621.04	10,947.04
State health officer	14,200.16	14,800.24
State librarian	8,365.24	9,535.24
State veterinarian	8,993.14	10,241.14
State treasurer	8,993.14	10,241.14
Superintendent, industrial school	8,365.24	9,535.24
Superintendent, Laconia state school	11,000.08	13,500.24
Superintendent, state hospital	13,232.18	14,896.18
Superintendent, state police	9,621.04	10,947.04
Superintendent, state sanatorium	9,621.04	10,947.04
Tax commissioner (2)	8,365.24	9,535.24
Warden, state prison	8,365.24	9,535.24

Upon request of the appointing authority and recommendation of the Joint Senate Finance and House Appropriations Committee, the Governor and Council are authorized, if in their judgment it is the best interests of state service to establish a higher salary or higher salary range. Additional funds necessary to provide for such increases shall be deemed a just charge against the salary adjustment fund.

Officials named in this section shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and in accordance with RSA 94:3. Racing commissioners and the state entomologist only excepted, any official whose salary upon placement in the new salary range is less than that of a classified employee in his department shall be placed at the next higher step in range above said classified employee and shall be entitled to and increase provided for herein until the maximum is reached.

5 Appropriation. There is hereby appropriated for the fiscal year ending June 30, 1962, for salary increases provided for in section 4 the following sums: \$56,353.00 from the general funds of the state, \$4,536.00 from highway funds, \$755.00 from fish and game funds, \$2,894.00 from self-sustaining funds and \$755.00 from federal funds. Like amounts are hereby appropriated for the fiscal year ending June 30, 1963.

6 Repeal. RSA 4:41 (supp) as amended by 1957, 274:9, relative to salary of the governor, is hereby repealed.

7 Repeal. RSA 490:17 (supp) as amended by 1957, 68:1, relative to salaries of chief justice and associate justices of the supreme court, is hereby repealed.

8 Superior Court. Amend RSA 491:6 (supp) as amended by 1957, 68:2 by striking out the same and inserting in place thereof the following: 491:6 Expenses. Actual expenses and office rent shall be allowed the justices as provided for justices of the supreme court. Each justice of the superior court shall forward his monthly expense account to the comptroller who shall prepare the manifest for payment of said accounts.

9 Racing Commissioner. Amend RSA 284:9 by striking out the same and inserting in place thereof the following: 284:9 Expenses. Each member of the commission shall be allowed his reasonable expenses, including transportation, incurred in the

performance of his duties, to be audited and allowed by the governor and council.

10 Repeal. Section 8 of chapter 274 of the Laws of 1957 relative to salaries for engineering positions is hereby repealed.

11 Repeal. Section 17 of chapter 274 of the Laws of 1957 relative to additional increases for certain classified state employees is hereby repealed.

12 Repeal. RSA 8-A:4 (supp) as inserted by 1957, 284:1, relative to salaries of director and deputy director of the New Hampshire Distributing Agency, is hereby repealed.

13 Salary of State Entomologist. Amend RSA 437:1 by striking out the words "that fixed by the legislature" in the sixth line and inserting in place thereof the words, as fixed by RSA 94:1, so that said section as amended shall read as follows: 437:1 State Entomologist. The commissioner of agriculture shall appoint an assistant who shall be known as the state entomologist and who, under the direction of the commissioner, shall be in charge of the suppression of pests as provided for in this chapter. The salary of said state entomologist shall be as fixed by RSA 94:1 and he shall be allowed his actual expenses when on official duties elsewhere than in the office of the department. Said deputy, with the approval of the commissioner, may appoint such agents or assistants as he may find necessary for the purposes hereof.

14 Salaries of Superior Court Stenographers. Amend RSA 519:26 (supp) as amended by 1955, 271:1 and 1957, 129:1; 140:1 by striking out the words "five thousand five hundred" in the fifth and sixth lines and inserting in place thereof the words, six thousand eighty-seven and twelve hundredths, so that said section as amended shall read as follows: 519:26 Appointment. The superior court, acting as a body, may appoint not more than eight official state court stenographers who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court. Each court stenographer shall be sworn to the faithful discharge of his duties and shall receive from the state an annual salary of six thousand eighty-seven and twelve hundredths dollars. He shall take full notes of all oral testimony and other proceedings in the trial of causes either at law or in equity including the charge of the justice in all trials before a jury and all com-

ments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel addressed to the court, and during the trial shall furnish for the use of the court or either of the parties a transcript of so much of his notes as the presiding justice may direct. He shall also furnish a transcript of so much of the evidence and other proceedings taken by him as either party to the trial may require, on payment therefor by such party at the rate fixed by the court as provided in section 30.

15 Salary Adjustment Fund. Amend RSA 99:4 by striking out said section and inserting in place thereof the following: 99:4 Salary Adjustment Fund. Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increases and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administration and control shall transfer said amount from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse at the end of each biennium and revert to the appropriate fund. Under no circumstances will this fund be used for temporary positions or new positions.

Upon the certification of the director of personnel, subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are deemed necessary to comply with chapter 9, Laws of 1950.

16 Takes Effect. This act shall take effect July 1, 1961.

On a *viva voce* vote the amendment was adopted.

Mr. Clement of Rochester offered the following amendment and moved its adoption.

Amend said bill by inserting after section 15 the following new section:

16 Advisory Committee. An advisory committee of five members is hereby established to study the salaries of state officials and employees. One member shall be appointed by the speaker of the house from the membership of the house, one member shall be appointed by the president of the senate

from the membership of the senate, one member shall be appointed by the governor, one member shall be a state employee designated by the state employee's association and one member shall be a state employee designated by the American Federation of State, County and Municipal Employees. Vacancies shall be filled in the same manner as original appointments are made. The members of the committee shall serve without compensation. The advisory committee is directed to study and compare the salary scales of business, industry and other units of government in this area with those of the state. On or before December 1 in each even numbered year said committee shall file a report with the clerk of the house of representatives on the results of its study and shall incorporate in said report a recommended schedule of salaries for those in state service which is commensurate with the average salary schedules of such other employing units.

Further amend said bill by renumbering section 16 to read 17.

The Clerk read the amendment in full.

Mr. Clement explained the amendment.

Mr. Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit third reading and final passage, by title only, at the present time.

Third Reading

HB 46, providing for salaries for classified state employees, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Clement of Rochester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 48 and spoke against the motion.

On a *viva voce* vote the motion was lost.

Committee Reports (cont)

Mr. Roberts of Conway for the Committee on Appropriations, HB 169, relative to salaries of state employees. Inexpedient to legislate.

At the request of Mr. LaFrance of Manchester, Mr. Clement of Rochester explained the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Bowles of Portsmouth for the Committee on Executive Departments and Administration.

HB 346, establishing a department of resources and economic development, merging therein planning and development, forestry, recreation, fish and game, and transferring thereto for limited purposes the water resources board and the New Hampshire state port authority. Ought to pass with amendment.

Amend paragraph II, section 2 of the bill by striking out said paragraph and inserting in place thereof the following:

II. With the approval of the governor and council and of the personnel commission the commissioner of resources and economic development after consultation with directors of divisions concerned and the advisory commission is authorized to transfer classified personnel, appropriations or portions thereof relating thereto as well as necessary equipment, within any division or between divisions of the department provided, however, that no such transfer shall eliminate classified positions so transferred. Vacancies in classified positions occurring after July 1, 1961, in any department functions to be transferred to the new department of resources and economic development shall not be filled without the approval of the governor and council, provided that after written notification of vacancies to be filled are received by the governor and council from department directors, and if no action is taken on these requests within thirty days, the director of the division concerned may fill such vacancy or vacancies forthwith. No permanent classified employee in the state service upon the effective date of this act shall be required to take an examination to remain in his position. As applied to the division of fish and game transfers of equipment authorized by

this section shall not be made other than within said division except with the approval of the director of fish and game.

Amend RSA 12-A:1 as inserted by section 3 of the bill by inserting after the word "development" in the third line the words, which shall include but not be limited to subdivisions of research, planning, development and promotion, so that said section as amended shall read as follows:

12-A:1 Establishment. There shall be a department of resources and economic development under the executive direction of a commissioner of resources and economic development, consisting of a division of economic development which shall include but not be limited to subdivisions of research, planning, development and promotion; a division of parks; and a division of fish and game.

Amend RSA 12-A:2 as inserted by section 3 of the bill by striking out the word "five" in the third line and inserting in place thereof the word, four; by striking out the words "when-ever in his discretion he shall see fit to exercise the same," in the eighth and ninth lines and by inserting after the word, "department" in the eleventh line the words, the commissioner of Resources and Development shall appoint one member of his staff who shall act in his stead when said commissioner is absent from the state and at such other times as he is so directed by the commissioner. When acting for the commissioner said person shall have all the power, duties and authority of the commissioner, so that said section as amended shall read as follows:

12-A:2 Commissioner of Resources and Economic Development. There shall be a commissioner of resources and economic development who shall be appointed by the governor and council for a term of four years from the date of his appointment and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department. The commissioner of Resources and Development shall appoint one member of his staff who shall act in his stead when said commissioner is absent from the state and at such other times as he is so directed by the commissioner. When acting for the commissioner said person shall have all the power, duties and authority of the commissioner. Directors of departmental divisions shall be subject to the supervisory authority of the commissioner, which authority

shall include power to establish department and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner shall consult with the advisory commission prior to the establishment of general and divisional departmental policy and shall be required to have the approval of the advisory commission in respect to all policy matters within the division of fish and game.

Amend RSA 12-A:3 as inserted by section 3 of the bill by striking out the word "five" in the fifth line and inserting in place thereof the word, four; by striking out the word "office" in the sixth line and inserting in place thereof the word, offices, and by striking out the word "appointment" in the seventh and eighth lines and inserting in place thereof the word, appointments, so that said section as amended shall read as follows:

12-A:3 Directors of Divisions. The commissioner shall nominate for appointment by the governor and council, a director of resources development, a director of economic development, a director of parks, and a director of fish and game, each of whom shall serve, subject to the provisions of RSA 4:1, for a term of four years from the date of his appointment and until his successor is appointed and qualified. Any vacancy in such offices shall be filled for the unexpired term in the same manner as the original appointments. Directors of divisions shall be responsible for the administration and operation of the respective divisions subject to the supervisory authority of the commissioner as set forth in section 12-A:2 of this chapter.

Amend RSA 12-A:5 as inserted by section 3 of the bill by striking out the word "two" in the fourteenth line and inserting in place thereof the word, one, and by inserting after the word "game" in the fourteenth line the words, one of recreation, so that said section as amended shall read as follows:

12-A:5 Advisory Commission Established. There shall be a commission advisory to the commissioner of resources and development consisting of seven members each of whom shall be appointed by the governor and council for a term of five years and until his successor is appointed and qualified. Provided, however, that the initial appointments hereunder shall be for the following terms: two members for a term of five years, two members for a term of four years, one member for a term of three years, one member for a term of two years and one member for a term of one year. As the terms of initial appointees

expire succeeding appointments shall be for terms of five years. In the event of a vacancy in membership, appointment shall be made in the same manner but for the unexpired term only. The commission shall be composed of residents of the state of New Hampshire, at least one of whom shall be qualified, experienced and representative of manufacturing, one of agriculture, one of fish and game, one of recreation, one of forestry, one of commerce and one of public relations. The governor shall designate a chairman from among its membership which he shall do annually thereafter, and no member shall be eligible to serve as chairman more than three years whether or not his service as such has been consecutive or interrupted. Members of the commission shall serve without compensation but shall be entitled to receive mileage and expenses when in the performance of duties required hereunder.

Amend RSA 12-A:6 as inserted by section 3 of the bill by striking out the word "January" in the fifteenth line and inserting in place thereof the word, February, and by inserting after the word "department" in the sixteenth line the words, covering the previous calendar year, so that said section as amended shall read as follows:

12-A:6 Advisory Commission; Duties. The commission shall consult with and advise the commissioner of resources and development with respect to the policy, programs and operations of the department upon a continuing basis and for said purposes shall meet with the commissioner not less frequently than quarterly in each calendar year and oftener as may be necessary or desirable. Failure to attend two consecutive quarterly meetings shall be deemed to effect a vacancy which shall be filled in accordance with the requirements of section 12-A:5. The commission shall meet at the call of the chairman, at the call of the commissioner of resources and development through the chairman, and it shall be the duty of the chairman to convene the commission not later than ten days following his receipt of written request therefor from any three or more members thereof. The commissioner shall attend any meeting of the commission upon request of a majority of its membership. The advisory commission shall submit to the governor and council in each February a written report of the activities of the department covering the previous calendar year which report shall be a public document. An executive session of the advisory commission may be called

at any time upon majority vote and shall consist solely of the members thereof.

Amend RSA 12-A:11 as inserted by section 3 of the bill by striking out said section and inserting in place thereof the following:

12-A:11 Fish and Game Fund. Nothing in this chapter shall be construed to alter present statutory restrictions with respect to the fish and game fund as set forth in RSA 206:33-38 (supp) as amended by 1957, 110:2, and the provisions of these sections shall apply to fish and game funds within the department of resources and economic development, division of fish and game.

Amend bill by inserting after section 3 the following new sections:

4 Requirements for Director. Amend RSA 206:8 by striking out said section and inserting in place thereof the following: 206:8 Director of Fish and Game, Qualifications of. The director of fish and game shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration of the wild life resources of the state. He shall not hold any other public office, and shall devote his entire time to the service of the state in the discharge of his official duties. Before entering upon the duties of his office, he shall take the oath prescribed by the constitution and shall, in addition thereto, swear that he holds no other public office, or any position under any political committee or party. Such oath shall be filed with the secretary of state. The director shall have general supervision and control of all activities, functions and employees of the fish and game division, and shall enforce all the provisions of the laws of this state relating to fish, wild animals, and birds, and shall exercise all necessary powers incident thereto.

5 Approval of Commissioner. Amend RSA 206:12 by striking out the words "with the approval of the commission" in the second and third lines and inserting in place thereof the words, after consultation with the commission and with the approval of the commissioner, so that said section as amended shall read as follows: 206:12 Rules and Regulations. Following the public hearings at Concord and Lancaster as provided in section 11, the director, after consultation with the commission and with the approval of the commissioner, shall promulgate such rules

and regulations, in accordance with the authority contained in section 10, as he shall deem suitable in the accomplishment of the purposes of said section 10. All such rules and regulations shall be published at least once a week for three successive weeks in at least three papers having general circulation throughout the state, and in such other newspapers, magazines, or circulars as the director may in his discretion deem desirable to fairly appraise the public of the same, the date of the first publication to be not later than September first following said hearings. An attested copy of said rules and regulations shall also be sent, not later than said first day of September, to each town or city clerk, to the office of each county attorney, and to each conservation officer, and shall be filed in the office of the secretary of state. Copies thereof shall be made available at the office of the director for distribution to applicants therefor.

6 Approval by Commissioner. Amend RSA 206:13 by striking out the words "with the approval of the commission" in the third and fourth lines and inserting in place thereof the words, after consultation with the commission and with the approval of the commissioner, so that said section as amended shall read as follows: 206:13 Effective Date. Such rules and regulations shall take effect on January first of the year following their promulgation, and shall remain in effect until altered or revoked by the director, after consultation with the commission and with the approval of the commissioner, in the manner hereinbefore provided for the initial promulgation of rules and regulations.

Amend section 7 by striking out paragraph V.

Further amend said bill by renumbering sections 7, 8, 9 to read 9, 10, and 11.

Minority, inexpedient to legislate.

Mrs. Gagnon of Berlin
Mr. Grimes of Dover
Mr. York of Concord
Mr. Cote of Manchester

Mr. Hill of Littleton spoke in favor of the majority report.

Mr. Watson of Belmont moved that HB 346 be indefinitely postponed and spoke in favor of the motion.

Mr. Bowles of Portsmouth spoke against the motion.

(discussion ensued)

Messrs Rollins of Alton, York of Concord and Pillsbury of Manchester spoke in favor of the motion.

Mr. Chandler of Bartlett spoke against the motion.

Mrs. Greene of Rye demanded the Yeas and Nays.

YEAS — 178

ROCKINGHAM COUNTY: Griffin, Scott of Derry, Weeks, Spollett of Hampstead, Clark of Kingston, Sewall, Twardus, McDaniel, Palmer, Driscoll, Keefe, Dame, Ingraham, White of Portsmouth, ward 5, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Wiggin of Dover, Grimes, O'York, Bevan, Heald, Littlehale, Drew, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Potvin, St. Pierre, Johnson of Rochester, Varney, Maloomian, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Lord, Harkins, Normandin, Urie, Joslyn, Howe.

CARROLL COUNTY: Nickerson of Tamworth, Claflin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Moore, York, Davis of Concord, Henry, Gibson, Peaslee, Gove, Newell of Concord, McKay, Gilman of Franklin, Charland, Dempsey, Carpenter, Brown of Loudon, Thompson of Northfield, Plourde, Tarrant.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Farwell, Pickering, Brocklebank, Claveau, Gallagher, Provencal, Pettigrew, Pillsbury, Bruton, Hayes, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Clancy, Ecker, O'Conner, LaFrance, Compagna, Cote, Craig, Delisle, Healy of Manchester, ward 8, Cary, Morris, Belanger, Bergeron, Kearns, King, Hurley, Lemay, Nallette, Lesmerises, Rousseau, Crowley, Gamache, Vachon, Falconer, Buckley, Dionne of Nashua, ward 2, Belcourt, Brosnahan, Maynard, Pappagianis, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Bouthillier, Locke.

CHESHIRE COUNTY: Gowing, Clark of Harrisville, Stearns, Desmarais, Bennett, Faulkner, Oliver, Crain, Wildey.

SULLIVAN COUNTY: Frizzell, Cann, Prudhomme, Angus, Campbell, Nahill, Barrows, D'Amante, Desnoyer, Bailey, Downing, Vaughan, Merrifield, DeLude.

GRAFTON COUNTY: Willey, Morse, Hayward of Hanover, Demers, Collyer, Haskins, Kinghorn, Bell, Loizeaux, Bradley, Anderson.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Kimball of Jefferson, Bushey, Brooks, Stinson.

NAYS — 180

ROCKINGHAM COUNTY: Vey, Spollett of Chester, Deming, Scott of Deerfield, Kimball of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Casassa, Shepard, Jenkins, Hislop, Cheney, Carter, Bowles, Murch, Stafford, Osborn, Chandler of Portsmouth, White of Portsmouth, ward 4, Carkin, Cross, Langford, Greene of Rye, Magoon, Peever, Roulston, Felch.

STRAFFORD COUNTY: Fellows, Stonemetz, Colbath, Karkavelas, Richardson, Flanagan, Gilman of Farmington, Clark of Lee, Watson of Rochester, Clement, Green of Rollinsford, Wyatt.

BELKNAP COUNTY: Matheson, Robertson, Lacaille, McCarthy, Ayre, Prescott, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Kurth, Fox, Chamberlain.

MERRIMACK COUNTY: Hutchinson, Allen of Concord, Audet, Hancock, Bingham, Seamans, Lovejoy, Quinn, Sanders, Barnard, Maxham, Welch, Rufo, Brown of Danbury, Stevens, Broek, Mulaire, London, Thibeault, Brewster, Keith, Bigelow.

HILLSBOROUGH COUNTY: Aucella, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Taft, Eaton, Warren, Ainley, Goode, Mahony, Hart, Martel, Dupont, Healy of Manchester, ward 6, Leclerc, Plante, Noel, Dumas, Levasseur, Allard, Daniel of Manchester, Hazeltine, Deans, Hayward of Milford, Cole, Cooper, Milliken, Underhill, Kirkorian, Sulli-

van, Karnis, Peabody, Peterson, Rich, Eastman of Weare, Draper.

CHESHIRE COUNTY: Totman, O'Neil, Watkinson, Turner, Cournoyer, Terrill, Parker, Brown of Keene, Miskelly, Allen of Rindge, Hackler, Congdon, Ballam, Galloway, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Guest, Weber, Williamson, Spalding.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Chandler of Canaan, Johnson of Franconia, Gage, Bowler, Low, Lamott, Larty, Karsten, Adams of Lebanon, Beard, Coutermarsh, Porter, Whipple, McGee, Burrill, Hill of Littleton, Martin, Cushman, Avery, Berringer.

COOS COUNTY: Ledoux, Marsh, Emerson, Crockett, Graham, Shute, Potter of Northumberland, Converse, Taylor of Whitefield.

Pairs

Mrs. Neale of Hanover voting Yes, paired with Mr. Asby of Canterbury voting No.

Mr. Oakes of Columbia voting Yes, paired with Mr. Bragg of Lancaster voting No.

And the motion to indefinitely postpone was lost.

Recess

After Recess

The question before the House is on the adoption of the committee amendments.

Mr. Kearns of Manchester requested a division.

212 members having voted in the affirmative and 61 in the negative, the amendments were adopted.

Mr. King of Manchester offered the following amendments and moved their adoption.

Amend the title of said bill by striking out the words "fish and game" so that said title as amended shall read as follows: An act establishing a department of resources and economic development, merging therein planning and development, forestry, recreation, and transferring thereto for limited purposes

the water resources board and the New Hampshire state port authority.

Amend RSA 12-A:1 as inserted by section 3 of the bill by striking out the words "and a division of fish and game" in the last line and by inserting after the word "development" the word, and, so that said section as amended shall read as follows:

12-A:1 Establishment. There shall be a department of resources and economic development under the executive direction of a commissioner of resources and economic development, consisting of a division of resources and development, a division of economic development and a division of parks.

Amend RSA 12-A:2 as inserted by section 3 of the bill by striking out the words "and shall be required to have the approval of the advisory commission in respect to all policy matters affecting the division of fish and game" at the end of said section so that said section as amended shall read as follows:

12-A:2 Commissioner of Resources and Economic Development. There shall be a commissioner of resources and economic development who shall be appointed by the governor and council for a term of five years from the date of his appointment and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department. Directors of departmental divisions shall be subject to the supervisory authority of the commissioner whenever in his discretion he shall see fit to exercise the same, which authority shall include power to establish departmental and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner shall consult with the advisory commission prior to the establishment of general and divisional departmental policy.

Amend RSA 12-A:3 as inserted by section 3 of the bill by striking out the words "and a director of fish and game" in the fifth line (of the printed bill) and by inserting after the word "development" in the fourth line (of the printed bill) the word, and, so that said section as amended shall read as follows:

12-A:3 Directors of Divisions. The commissioner shall nominate for appointment by the governor and council a director of resources development, a director of economic de-

velopment and a director of parks, each of whom shall serve, subject to the provisions of RSA 4:1, for a term of five years from the date of his appointment and until his successor is appointed and qualified. Any vacancy in such office shall be filled for the unexpired term in the same manner as the original appointment. Directors of divisions shall be responsible for the administration and operation of their respective divisions subject to the supervisory authority of the commissioner as set forth in section 12-A:2 of this chapter.

Amend RSA 12-A:5 as inserted by section 3 of the bill by striking out the words "of fish and game" in the twentieth line (of the printed bill) and inserting in place thereof the words, from the general public, so that said section as amended shall read as follows:

12-A:5 Advisory Commission Established. There shall be a commission advisory to the commissioner of resources and development consisting of seven members each of whom shall be appointed by the governor and council for a term of five years and until his successor is appointed and qualified. Provided, however, that the initial appointments hereunder shall be for the following terms: two members for a term of five years, two members for a term of four years, one member for a term of three years, one member for a term of two years and one member for a term of one year. As the term of initial appointees expire succeeding appointments shall be for terms of five years. In the event of a vacancy in membership appointment shall be made in the same manner but for the unexpired term only. The commission shall be composed of residents of the state of New Hampshire at least one of whom shall be qualified, experienced and representative of manufacturing, one of agriculture, one of forestry, two from the general public, one of commerce and one of public relations. The governor shall designate a chairman from among its membership which he shall do annually thereafter and no member shall be eligible to serve as chairman more than three years whether or not his service as such has been consecutive or interrupted. Members of the commission shall serve without compensation but shall be entitled to receive mileage and expenses when in the performance of duties required hereunder.

Amend RSA 12-A as inserted by section 3 of the bill by striking out sections 12-A:11 and 12-A:12 and by renumbering sections 12-A:13 and 14 to read 12-A:11 and 12-A:12.

Amend section 4 by striking out the words and figures "Director of division of fish and game 8,855 10,192" in the last two lines of said section.

Amend paragraph V of section 7 by striking out said paragraph.

Mr. King explained the amendment.

Messrs Bowles of Portsmouth, Dupont of Manchester, Peterson of Peterboro, Goode of Manchester and Mrs. Clark of Lee spoke against the amendment.

Messrs Willey of Campton, Gilman of Farmington and York of Concord spoke in favor of the amendment.

Mr. Pickett of Keene moved that HB 346 be laid on the table.

Mr. Kearns of Manchester requested a division.

Mr. Shepard of Londonderry demanded the Yeas and Nays and the roll was called as follows:

YEAS — 177

ROCKINGHAM COUNTY: Griffin, Weeks, Spollett of Hampstead, Clark of Kingston, Sewall, Twardus, McDaniel, Palmer, Discoll, Keefe, Dame, Ingraham, White of Portsmouth, ward 5; Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Wiggin of Dover, Grimes, O'York, Bevan, Heald, Littlehale, Drew, Adams of Madbury, Reid, Rolfe, Marsan, Potvin, St. Pierre, Johnson of Rochester, Clement, Varney, Maloomian, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Harkins, Normandin.

CARROLL COUNTY: Claffin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Moore, York, Davis of Concord, Henry, Gibson, Bingham, Lovejoy, Peaslee, Gove, Newell of Concord, McKay, Gilman of Franklin, Charland, Dempsey, Brown of Loudon, Thompson of Northfield, Plourde, Tarrant.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Farwell, Pickering, Claveau, Gallagher, Provencal, Pettigrew, Pillsbury, Bru-

ton, Hayes, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Clancy, O'Conner, Lafrance, Compagna, Cote, Craig, Delisle, Healy of Manchester, ward 8; Morris, Belanger, Bergeron, Kearns, King, Hurley, Lemay, Levasseur, Nalette, Lesmerises, Rousseau, Crowley, Gamache, Falconer, Dionne of Nashua, ward 2; Belcourt, Brosnahan, Maynard, Pappagianis, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Bouthillier, Locke, Draper.

CHESHIRE COUNTY: Gowing, Clark of Harrisville, Stearns, Cournoyer, Desmarais, Bennett, Faulkner, Pickett, Oliver, Crain, Congdon, Wildey.

SULLIVAN COUNTY: Frizzell, Cann, Gaffney, Prudhomme, Angus, Campbell, Nahill, Barrows, D'Amante, Desnoyer, Bailey, Downing, Vaughan, Merrifield, DeLude.

GRAFTON COUNTY: Willey, Morse, Hayward of Hanover, Demers, Collyer, Haskins, Kinghorn, Bell, Loizeaux, Barney, Avery, Bradley, Anderson.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Graham, Kimball of Jefferson, Bushey, Brooks, Stinson.

NAYS — 184

ROCKINGHAM COUNTY: Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Casassa, Shepard, Jenkins, Hislop, Cheney, Carter, Bowles, Murch, Strafford, Osborn, Chandler of Portsmouth, White of Portsmouth, ward 4; Carkin, Cass, Langford, Greene of Rye, Magoon, Peever, Roulston, Felch.

STRAFFORD COUNTY: Fellows, Stonemetz, Colbath, Karkavelas, Richardson, Flanagan, Gilman of Farmington, Clark of Lee, Maxfield, Watson of Rochester, Green of Rollinsford.

BELKNAP COUNTY: Matheson, Lord, Robertson, Lacaille, McCarthy, Ayre, Prescott, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Tay-

lor of Ossipee, Nickerson of Tamworth, Kurth, Fox, Chamberlain.

MERRIMACK COUNTY: Hutchinson, Allen of Concord, Audet, Hancock, Seamans, Quinn, Sanders, Barnard, Maxham, Welch, Brown of Danbury, Stevens, Carpenter, Broek, Mulaire, London, Thibeault, Brewster, Keith, Bigelow.

HILLSBOROUGH COUNTY: Aucella, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Taft, Eaton, Brocklebank, Warren, Ainley, Goode, Mahony, Hart, Martel, Dupont, Leclerc, Plante, Tessier, Noel, Roche, Dumas, Allard, Daniel of Manchester, Vachon, Hazeltine, Deans, Hayward of Milford, Buckley, Cole, Cooper, Milliken, Underhill, Kirkorian, Sullivan, Karnis, Peabody, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Watkinson, Turner, Terrill, Parker, Brown of Keene, Miskelly, Allen of Rindge, Hackler, Ballam, Galloway, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Guest, Weber, Williamson, Spalding.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Chandler of Canaan, Johnson of Franconia, Gage, Bowler, Low, LaMott, Larty, Karsten, Adams of Lebanon, Beard, Coutermarsh, Porter, Whipple, McGee, Burrill, Hill of Littleton, Martin, Cushman, Berringer.

COOS COUNTY: Ledoux, Marsh, Oakes, Emerson, Crockett, Shute, Potter of Northumberland, Converse, Taylor of Whitefield.

and the motion to lay HB 346 on the table was lost.

The question now being on the amendment as offered by Mr. King of Manchester.

Mr. Varney of Rochester demanded the Yeas and Nays and the roll was called as follows:

YEAS — 186

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Wiggin of Dover, O'York, Fellows, Bevan, Heald, Littlehale, Drew, Gilman of Farmington, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Potvin, St. Pierre, Johnson of Rochester, Clement, Varney, Maloomian, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Harkins, Normandin, Urie.

CARROLL COUNTY: Chamberlain, Claflin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Moore, York, Davis of Concord, Henry, Gibson, Lovejoy, Peaslee, Gove, Newell of Concord, McKay, Gilman of Franklin, Charland, Dempsey, Carpenter, Brown of Loudon, Thompson of Northfield, Plourde, Thibeault, Tarrant.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Farwell, Pickering, Claveau, Gallagher, Provencal, Pettigrew, Pillsbury, Bruton, Hales, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Clancy, Ecker, O'Connor, Lafrance, Compagna, Cote, Craig, Delisle, Healey of Manchester, ward 8, Cary, Morris, Belanger, Bergeron, Kearns, King, Hurley, Lamay, Levasseur, Nalette, Lesmerises, Rousseau, Crowley, Gamache, Vachon, Falconer, Dionne of Nashua, ward 2, Brosnahan, Sullivan, Maynard, Pappagianis, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Bouthillier.

CHESHIRE COUNTY: Gowing, Clark of Harrisville, Cournoyer, Desmarais, Bennett, Faulkner, Miskelly, Pickett, Oliver, Crain, Congdon, Wildey.

SULLIVAN COUNTY: Frizzell, Cann, Gaffney, Prudhomme, Angus, Campbell, Nahill, Barrows, D'Amante, Desnoyer, Bailey, Downing, Vaughan, Merrifield, Delude.

GRAFTON COUNTY: Paquette, Willey, Morse, Hayward of Hanover, Demers, Collyer, Martin, Haskins, Kinghorn, Bell, Loizeaux, Barney, Avery, Bradley, Anderson.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Graham, Kimball of Jefferson, Bushey, Brooks, Stinson.

ROCKINGHAM COUNTY: Griffin, Scott of Derry, Weeks, Spollett of Hampstead, Clark of Kingston, Sewall, Twardus, McDaniel, Palmer, Driscoll, Keefe, Dame, Ingraham, White of Portsmouth, ward 5, Barker, Waterhouse.

NAYS — 174

STRAFFORD COUNTY: Grimes, Colbath, Karkavelas, Richardson, Flanagan, Clark of Lee, Watson of Rochester, Green of Rollinsford.

BELKNAP COUNTY: Matheson, Lord, Robertson, Lacaille, McCarthy, Ayre, Prescott, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Nickerson of Tamworth, Kurth, Fox.

MERRIMACK COUNTY: Hutchinson, Allen of Concord, Audet, Hancock, Bingham, Seamans, Quinn, Sanders, Barnard, Maxham, Welch, Rufo, Brown of Danbury, Stevens, Broek, Mulaire, London, Brewster, Keith, Bigelow.

HILLSBOROUGH COUNTY: Aucella, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Taft, Eaton, Brocklebank, Warren, Ainley, Goode, Mahony, Hart, Martel, Dupont, Leclerc, Plante, Tessier, Noel, Dumas, Allard, Daniel of Manchester, Hazeltine, Deans, Hayward of Milford, Cole, Cooper, Milliken, Underhill, Belcourt, Kirkorian, Locke, Karnis, Peabody, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Watkinson, Turner, Stearns, Terrill, Parker, Brown of Keene, Allen of Rindge, Hackler, Ballam, Galloway, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Guest, Weber, Williamson, Spalding.

GRAFTON COUNTY: Gilbert, Stevenson, Plumer, Chandler of Canaan, Johnson of Franconia, Gage, Bowler, Low, Lamotte, Larty, Karsten, Adams of Lebanon, Beard, Coutermarsh, Porter, Whipple, McGee, Burrill, Hill of Littleton, Cushman, Berringer.

COOS COUNTY: Ledoux, Marsh, Oakes, Emerson, Crockett, Shute, Potter of Northumberland, Converse, Taylor of Whitefield.

ROCKINGHAM COUNTY: Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Kimball, of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Casassa, Shepard, Jenkins, Hislop, Cheney, Carter, Bowles, Murch, Stafford, Osborn, Chandler of Portsmouth, White of Portsmouth, ward 4, Carkin, Cross, Langford, Green of Rye, Magoon, Peever, Roulston, Felch.

and the amendment was adopted.

The Chair referred HB 346 to the committee on Appropriations under the rules.

Mr. Gibson of Concord for the Committee on Finance, HB 392, relative to the disposition of professional fees. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 220, relative to open season for taking raccoons. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. Fontaine of Berlin for the Committee on Labor, HB 407, relative to the workmen's compensation law. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Definitions. Amend paragraph I of RSA 281:2 (supp), as amended by 1957, 187:1 and 1959, 187:1, by inserting after the word "employees" in the twelfth line the words, Except where the context specifically indicates otherwise, the term "employer" shall be deemed to include the employer's insurance carrier, so that said paragraph as amended shall read as follows: I. Employer, means a person, partnership, association, corporation and the legal representative of a person, partnership, association or corporation who employs three or more persons, whether in one or more trades, businesses, professions or occupations, and whether in one or more locations, except casual employees, farm labor and domestic service. In determining the number of persons employed there shall be included persons whose contract of employment was entered into outside the state, if they are actually employed on work in this state. For the purpose of determining the number of persons employed, executive officers elected or appointed and empowered in accordance with the charter and by-laws of a corporation shall not be considered to be employees, except that such executive officers in excess of three shall be counted as employees. Except where the context specifically indicates

otherwise, the term "employer" shall be deemed to include the employer's insurance carrier. Any other employer may elect to accept the provisions of this chapter in accordance with sections 3 and 7.

2 Definitions. Amend paragraph III of RSA 281:2 (supp), as amended by 1957, 187:2 and 1959, 187:3, by inserting after the word "injury" in the eleventh line the words except as hereinafter specifically provided, so that said paragraph as amended shall read as follows:

III. Personal injury, or injury as used in and covered by this chapter shall mean accidental injury or death arising out of and in the course of the employment and the following diseases or death therefrom arising out of and in the course of employment: Anthrax, lead poisoning or its sequelae, dermatitis venenata, diseases due to the inhalation of poisonous gases or fumes or their sequelae, disability due to radioactive properties or substances or exposure to ionizing radiation, and silicosis and other pulmonary dust diseases subject to the provisions hereinafter set forth. For the purpose of determining the date of injury for an occupational disease the first date of treatment by a licensed physician shall be taken as the date of injury, except as hereinafter specifically provided. It shall not include other diseases or death therefrom unless they are the direct result of an accidental injury arising out of and in the course of employment, nor shall it include a disease which existed at commencement of the employment, nor a disease the last injurious exposure to the hazards of which occurred prior to the effective date of this chapter. When silicosis and other pulmonary dust diseases or death therefrom occur within the above definition of "personal injury" or "injury," compensation shall be payable under the provisions of this chapter, provided, however, that (1) no compensation shall be payable for partial disability: (2) in the event of temporary or permanent total disability or death, notwithstanding any other provisions of this chapter, total compensation if disability or death occurred during July, 1947, shall not exceed the sum of five hundred dollars; thereafter the limit for total disability or death shall increase at the rate of fifty dollars each calendar month until the maximum allowed for other injuries under this chapter is reached; (3) the total amount of benefit in case of death shall not exceed the balance remaining between the

amounts paid for disability and the total compensation payable under this chapter.

3 Elections by Employers not Subject to Law. Amend RSA 281:3 by striking out said section and inserting in place thereof the following: 281:3 Elections by Employers not Subject to Law. Any employer of less than three persons, or of farm labor or domestic servants may accept the provisions of this chapter by filling an election with the labor commissioner. Such employer shall thereafter be liable to all of his employees in the same manner as other employers.

4 Revocation of Election by Certain Employers. Amend RSA 281:4 by striking out the word "five" in the first line and inserting in place thereof the word, three, so that said section as amended shall read as follows:

281:4—Revocation of Election. Any employer of less than three persons or of farm labor or domestic servants or any county, city, town, school district, or any other district established by law, may revoke his or its acceptance of the provisions of this chapter by filing a revocation with the labor commissioner which shall be effective thirty days after such filing and by posting a notice of such revocation in a conspicuous place on his or its premises.

5 Employees Presumed to have Accepted. Amend RSA 281:12 (supp), as amended by 1959, 187:4, by adding at the end thereof the words, or against the employer's insurance carrier as defined in paragraph VI of section 2, so that said section as amended shall read as follows:

281:12 Employees Presumed to have Accepted. An employee of an employer subject to this chapter shall be conclusively presumed to have accepted the provisions hereof and to have waived his rights of action at common law to recover damages for personal injuries against his employer, or against his employer's insurance carrier as defined in paragraph VI of section 2.

6 Election by Municipalities. Amend RSA 281:7 by inserting after the word "thereof" in the tenth line the words, for a supervisory union by the supervisory union board thereof, so that said section as amended shall read as follows:

281:7 Election by Municipalities. Any county, city, town, school district, supervisory union, or any other district

established by law, may accept for designated or for all workmen in its employ, the provisions of this chapter, and it shall thereafter be liable to such workmen for any injury arising out of and in the course of employment in the manner provided in this chapter. The liability of any county, city, town, or district accepting said provisions shall not otherwise be enlarged or extended. The acceptance for a county may be made by the commissioners thereof, for a city by the city council, for a town by the selectmen thereof, for a school district by the school board thereof, for a supervisory union by the supervisory union board thereof, and for any other district by the commissioners thereof or other officers having by law the management of such district. Such acceptance shall be filed with the labor commissioner.

7 Waiver. Amend RSA 281:12-a as inserted by 1957, 187:5 by striking out the word "five" in the thirty-seventh line and inserting in place thereof the word "three" so that said section as amended shall read as follows:

281:12-a Waiver of Compensation. Whenever any person desiring to enter into a contract of employment, shall have any physical defect which imposes upon the prospective employer a further or unusual hazard, it shall be permissible for such person to waive in writing for himself or his dependents, or both, any rights to compensation under the provisions of this chapter for any personal injury arising out of and in the course of his employment, or death resulting therefrom which may be found by the labor commissioner to be attributable in a material degree to such physical defect. No waiver shall become effective unless the defect in question shall be plainly described therein, and accompanied by a statement of the defect from a licensed physician, nor unless the labor commissioner finds that the person who signed such waiver fully understood the meaning thereof and, if such person shall be a minor, that the parents or a guardian of such minor shall have approved the same in writing, nor until application of such waiver shall have been sent to the labor commissioner. Any person already employed who shall suffer a physical defect which would impose upon his employer a similar further or unusual hazard may make application for a waiver as above described. Such waiver shall be effective on a temporary basis for not over sixty days, not including Sundays, from date it is sent to the labor commissioner pending his action thereon.

The labor commissioner shall, in writing, approve such waiver and furnish each of the parties thereto with a copy thereof. In event the waiver is refused by the labor commissioner, the temporary waiver shall cease within seven days from the date of such denial. Application for cancellation of such waiver may be made by either party to the labor commissioner who may cancel same upon receipt of a statement by a licensed physician that such physical defect no longer exists, or with the consent of both parties. No such waiver shall be a bar to a claim by the person signing the same, or his dependents, for compensation for any injury arising out of and in the course of his employment, or death resulting therefrom, which injury shall not be found to be attributable in a material degree to the particular condition described therein. The rights and liabilities of the parties to such waiver to injuries arising out of and in the course of the employment and within the terms of such waiver shall be such as are provided by the law in the case of an employer having regularly less than three employees, who shall not have accepted the provisions of this chapter. The term "physical defect" as used in this section shall not be construed to include an occupational disease, susceptibility thereto or a recurrence thereof.

8 Liability of Third Person. Amend RSA 281:14 (supp) as amended by 1957, 187:6; and 1959, 187:5 by striking out said section and inserting in place thereof the following:

281:14 Liability of Third Person.

I. When an injury for which compensation is payable under the provisions of this chapter has been sustained under circumstances creating in some person other than the employer, or the employer's insurance carrier, a legal liability to pay damages in respect thereto, the injured employee, in addition to the benefits of this chapter, may obtain damages from or proceed at law against such other person to recover damages; provided, however, that the employer, or the employer's insurance carrier, shall have a lien on the amount of damages recovered by the employee, less the expenses and costs of action, to the extent of the compensation, medical, hospital or other remedial care already paid, or agreed or awarded to be paid by the employer, or the employer's insurance carrier, surance carrier's pro rata share of expenses and costs of action under this chapter, less the employer's, or the employer's in- as determined in paragraph IV hereof.

II. When death of an employee has resulted under circumstances creating in some person other than the employer, or the employer's insurance carrier, a legal liability to pay damages in respect thereto, the administrator of the employee's estate, in addition to the benefits of this chapter which are payable to the employee's dependents, may obtain damages from or proceed at law against such other person to recover damages. In such cases the employer or the employer's insurance carrier, shall have a lien on the amount of damages recovered which remain after deduction of such of the expenses itemized in RSA 556:14 as are not paid by the employer, or the employer's insurance carrier, and after deduction of the distributive share of any person to whom nothing is payable under section 22 of this chapter, to the extent of compensation, medical, hospital or other remedial care and funeral expenses already paid, or agreed or awarded to be paid by the employer, or the employer's insurance carrier, under this chapter.

III. No settlement by an employee, or in case of death, by the administrator of his estate, of his or said administrator's claim for damages at law against such third person shall be binding until approved by the labor commissioner, or, if an action has been brought, by the court in which such action is pending or to which the writ is returnable. The labor commissioner, or the court, as the case may be, shall make provisions for payment to the employer, or the employer's insurance carrier, of the amount of his lien after expenses and costs of action have been paid. In any case in which the employee, or, in case of death, the administrator of his estate, neglects to exercise his right of action by failing to proceed at law against such third person for a period of nine months after said injury, the employer, or the employer's insurance carrier, may so proceed and shall be subrogated to the rights of the injured employee or, in case of death, of such administrator, to recover against such third person, provided, if the employer, or the employer's insurance carrier, recovers from such other person damages, after expenses and costs of action have been paid, in excess of the amount of his lien as defined herein, then any such excess shall be paid to the injured employee, or in the case of death, to the administrator of the employee's estate, for distribution in accordance with the provisions of RSA 556:14. The procedure for approval of settlements and safeguarding the rights of the employee, or, in case of death, the rights of

the administrator of his estate, in such cases shall be the same as is provided for protecting the rights of the employer, or the employer's insurance carrier, in cases of settlements made or actions at law brought by the employee or the administrator of his estate under this section.

IV. Whenever there is a recovery against a third person under any of the preceding paragraphs, the labor commissioner or the superior court, as the case may be, shall order such division of expenses and costs of action, including attorneys' fees, between employer, or the employer's insurance carrier, and employee as justice may require.

9 Medical, Hospital Care, etc. Amend RSA 281:21 by adding at the end thereof the following: Whenever an injured employee shall receive medical or hospital benefits, or other remedial care, after expiration of the first ninety days after an injury, or subsequent to expiration of extension thereof by the commissioner, and, due to accident, misfortune, or mistake, fails to file a request for an extension prior to receiving such medical or hospital, or other remedial care, the commissioner, following notice to the employer giving opportunity to be heard, may grant an extension retroactively, so that said section as amended shall read as follows:

281:21 Medical, Hospital Care, etc. During the first ninety days after an injury to an employee, an employer subject to this chapter, shall furnish to an injured employee, or cause to be furnished, free of charge, reasonable medical and hospital services, or other remedial care when needed, unless the injured employees shall decline or refuse to allow them to be furnished, and the injured employee, if he so chooses shall have the right of selection of a duly qualified physician or other remedial care upon due notice to the employer. Such ninety day period may be extended from time to time at the discretion of the labor commissioner upon written request of the injured employee to the labor commissioner and after the employer has been given an opportunity to file objections thereto and to be heard thereof. In the event of the loss of an eye, limb, or other member, or the loss of hearing, by reason of said injury, an employer, in addition to the foregoing care, shall upon request, furnish, free of charge, an appropriate artificial appliance to replace such loss. Such aid shall not be considered under the provisions of sections 22 to 26. Whenever an injured employee

shall receive medical or hospital benefits, or other remedial care, after expiration of the first ninety days after an injury, or subsequent to expiration of extension thereof by the commissioner, and, due to accident, misfortune, or mistake, fails to file a request for an extension prior to receiving such medical or hospital, or other remedial care, the labor commissioner, following notice to the employer giving opportunity to be heard, may grant an extension retroactively.

10 Compensation for Death. Amend the first paragraph of RSA 281:22 (supp), as amended by 1957, 187:10 and 1959, 187:12 by striking out the word "forty" in the sixth line and inserting in place thereof the word, forty-two! further amend by striking out in the tenth and eleventh lines and in the thirteenth and fourteenth lines the words "thirteen thousand six hundred and forty dollars" and inserting in each instance the words, fourteen thousand three hundred and twenty-two dollars, so that said paragraph as amended shall read as follows: If death results from the injury, the employer shall pay to, or for the dependents of the deceased employee, as defined in section 2, for a period not to exceed three hundred and forty-one weeks, a weekly compensation equal to sixty-six and two-thirds per cent of the deceased employee's average weekly wages, but not less than twenty nor more than forty-two dollars per week unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week, in which case the compensation shall be the full amount of said average weekly wages; provided that the total amount payable on account of a single death shall not exceed the sum of fourteen thousand three hundred and twenty-two dollars. Any weekly payments made under sections 23, 25 or 26 shall be deducted from the total period of three hundred and forty-one weeks and the maximum of fourteen thousand three hundred and twenty-two dollars.

11 Compensation for Temporary Total Disability. Amend RSA 281:23 (supp), as amended by 1955, 98:5, 1957, 187:11 and 1959, 187:13 by striking out in the seventh line the word "forty" and inserting in place thereof the word, forty-two, so that said section as amended shall read as follows: 281:23 Compensation for Temporary Total Disability. Where the injury causes total disability for work at any gainful occupation the employer, during such disability, but not including the first seven days thereof, unless such disability continues for

seven days or longer, shall pay the injured employee a weekly compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than fifteen dollars nor more than forty-two dollars per week, unless the injured employee's average weekly wages as defined herein are less than fifteen dollars per week, in which case the compensation shall be the full amount of said average weekly wages. Payments shall not continue after the disability ends nor longer than three hundred and forty-one weeks, and in case the total disability begins after a period of partial disability, the period of partial disability shall be deducted from such total period of three hundred and forty-one weeks.

12 Compensation for Permanent Total Disability. Amend the last paragraph of RSA 281:24 (supp) as amended by 1955, 98:6 and 1957, 187:2 by striking out the words "twelve thousand six hundred and seventeen" in the eighth and ninth lines and inserting in place thereof the words, fourteen thousand three hundred and twenty-two, so that said paragraph as amended shall read:

The above enumeration is not to be taken as exclusive. Compensation for permanent total disabilities shall be computed as provided in section 23, except that the minimum shall be not less than twenty dollars a week, unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week, in which case the compensation shall be the full amount of said average weekly wages. The total amount payable on account of one accident shall not exceed fourteen thousand three hundred and twenty-two dollars.

13 Maximum Benefits. Amend RSA 281:30 (supp) as amended by 1955, 98:9; 1957, 187:14 and 1959, 187:14 by striking out said section and inserting in place thereof the following:

281:30 Maximum Benefits. In no case except as provided in sections 29 and 30-a, shall the weekly compensation payable under this chapter exceed sixty-six and two-thirds per cent of the average weekly wages, or exceed forty-two dollars per week in amount, nor shall the total compensation exceed the sum of fourteen thousand three hundred and twenty-two dollars, nor shall any payments, including medical, hospital services, and other remedial care under section 21, extend over a period of more than three hundred and forty-one weeks from the date of the injury, provided, however, that in silicosis and other pul-

monary dust disease cases said maximum period, for the purpose of payment of compensation, shall be deemed to run from the first date of disability and not from the date of injury as herein defined in such cases.

14 Remedial Care. Amend RSA 281 by inserting after 281:30 the following new section:

281:30-a Additional Medical, Hospital, or Other Remedial Care in Unusual Cases. Whenever an employee has received medical, hospital, or other remedial care during the last ninety days of the maximum benefit period, pursuant to a ninety day extension granted by the labor commissioner, as herein provided, the labor commissioner may grant an extension of such medical and hospital benefits, or other remedial care, upon application duly made therefor, to such extent and for such additional period as he may determine, not exceeding one year, except as otherwise provided. The employer shall be given prompt notice of such request, and, unless the employer agrees to such request within ten days, no such request shall be granted until the injured employee shall have been examined by three duly licensed physicians, one nominated by the employee, one by the employer, and one by the labor commissioner. The labor commissioner's decision shall be based upon the written reports of such physicians, and shall be subject to review in the same manner as other decisions of the labor commissioner under this act. If, at the end of one year, any such benefits are still being received pursuant to an extension granted hereunder, the injured employee must file an additional request, and the same procedure shall apply, and may be repeated annually in the same manner.

15 Hearings and Awards. Amend RSA 281:37 (supp) as amended by 1955, 98:10 and 1959, 187:8 by striking out the word "sixty" in the fourteenth line and inserting in place thereof the word, thirty, so that said section as amended shall read as follows: 281:37 Hearings and Awards. If the compensation is not fixed by agreement, either party may petition for hearing and award in the premises to the labor commissioner, who shall set a time and place for hearing and give at least fourteen days' notice thereof to the parties by giving notice in hand or by registered mail sent to their last known places of abode. At such hearing full consideration shall be given to all evidence which may be presented and within thirty days thereafter said commis-

sioner shall render his decision and shall forthwith notify the parties thereof. Petition for hearing and award in the premises may be made by either party to the superior court, on appeal from an award made by the labor commissioner, the venue to be according to civil actions in personam between the same parties, and the court shall set a time and place for hearing and order at least fourteen days' notice thereof to the parties. Such petition shall be filed within thirty days of the date of said commissioner's award. At such hearing a full trial shall be had before a justice of the Superior court, without jury, and within thirty days thereafter the court shall make its award setting forth its findings of fact and the law applicable thereto, and the clerk of court shall forthwith send to each of the parties and to the labor commissioner copies of such award. The decision of said court shall be enforceable in the same manner as an equity decree, and appeals from such decisions may be taken to the supreme court; but in no case shall such an appeal suspend the operation of an award unless the court from which such appeal is taken, shall so order.

16 Review. Amend RSA 281:40 (supp) as amended by 1955, 98:11; and 1959, 187:9 by striking out said section and inserting in place thereof the following:

281:40 Review of Eligibility for Compensation. Any party in interest may, under conditions hereinafter specified, file a petition with the labor commissioner, based upon change in conditions, mistake as to nature or extent of injury or disability, fraud, undue influence, or coercion to review an employee's eligibility for compensation or to change the amount thereof. Such petition must be filed not later than one year after the date of the last payment of compensation fixed by agreement under section 36 or by award under section 37, or, if no compensation has previously been paid, not later than one year after the date of last medical or hospital treatment, resulting from the injury, the charges for which are payable under this chapter. This section shall have no application to requests for extension of medical and hospital benefits, or other remedial care, which shall be governed solely by those sections of this chapter relating thereto. Upon the filing of such petitions, and after notice to all other interested parties and hearing, the labor commissioner shall enter an order either granting or denying an original award of compensation, if none has theretofore been

paid, or for ending, diminishing or increasing the compensation previously fixed by agreement or awarded, subject to the maximum or minimum provided in this chapter and shall state his reasons therefor. When a petition is filed for reduction of compensation, or for ending the same, the petitioner must accompany such petition with medical evidence that the injured employee is physically able to perform his regular work, or is able to engage in gainful employment. On the basis of such medical evidence the commissioner may authorize suspension of further payments pending hearing on the petition; otherwise compensation shall continue on the basis of existing agreement or award pending hearing and any further order by the commissioner. Such a review shall not affect such agreement or award with respect to money already paid. All procedure on such a petition shall be the same as herein provided for original hearings. Appeal from the decision of the commissioner of labor to the superior court may be made in the same manner as provided in section 37.

17 Petition for Right to Appeal. Amend RSA 281:42 by striking out the word "sixty" in the third line and inserting in place thereof the word, thirty, so that said section as amended shall read as follows:

281:42 Petition for Right to Appeal. Any person, aggrieved by a decision of the commissioner, who was prevented from appealing therefrom within thirty days through mistake, accident, or misfortune and not his own neglect, may petition the superior court at any time within one year thereafter, to be allowed an appeal, setting forth his interest, his reason for appealing and the cause of his delay.

18 Second Injury Fund. Such parts of RSA 281:48 as provide for payments into the second injury fund are hereby suspended for the period of July 1, 1961 to July 1, 1963.

19 Takes Effect. This act shall take effect July 1, 1961.

On motion of Mr. Angus of Claremont reading of the amendments was dispensed with.

Mr. Angus of Claremont explained the amendments.

On a *vive voce* vote the amendments were adopted and the bill was ordered to a third reading.

Mr. Hackler of Swanzy for the Committee on Municipal and County Government.

SB 125, legalizing the organization meeting and first annual meeting of the Monadnock Regional School District. Ought to pass.

On a *vive voce* vote the bill was ordered to a third reading.

Mr. Edwards of Antrim for the Committee on Public Works.

HB 451, relative to maintenance allotment by the state for Class IV and V highways. Ought to pass.

The Chair referred HB 451 to the Committee on Finance under the rules.

Mr. Belanger of Manchester for the Special Committee consisting of the members from the city of Manchester.

HB 349, authorizing the appointment of an additional assistant superintendent of schools for the city of Manchester. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Belanger of Manchester for the Special Committee consisting of the members from the city of Manchester.

HB 295, relative to future water supplies for the city of Manchester. Ought to pass.

Mr. Nickerson of Goffstown moved that HB 295 be made a Special order for Thursday, June 8 at 11:01 o'clock and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Belanger of Manchester for the Special Committee consisting of the members from the city of Manchester.

HB 302, relative to the salaries of the members of the school committee of the city of Manchester. Inexpedient to legislate.

Mr. Hart of Manchester moved that HB 302 be made a special order for Wednesday next at 11:01 o'clock.

Mr. Kearns of Manchester moved that HB 302 be indefinitely postponed and spoke in favor of the motion.

Messrs Pillsbury and Hart of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Belanger of Manchester for the Special Committee consisting of the members from the city of Manchester.

HB 305, relative to the salaries of the aldermen of the city of Manchester. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Belanger of Manchester for the Special Committee consisting of the members from the city of Manchester.

HB 304, relative to term of office and salary of the mayor of the city of Manchester. Inexpedient to legislate.

Minority, ought to pass with amendment.

Nick Hart

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relative to the term of office and salary of the mayor of the city of Manchester and to the salaries of the board of aldermen and members of the board of school committee.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Mayor of the City of Manchester. Amend section 1 of chapter 223 of the Laws of 1883, as amended by chapter 203 of the Laws of 1907, chapter 280 of the Laws of 1945 and section 1 of chapter 437 of the Laws of 1957, by striking out said section and inserting in place thereof the following: Section 1. The annual salary of the mayor of the city of Manchester shall be set by the board of mayor and aldermen and shall be payable in equal semi-monthly installments.

2 Aldermen. Amend section 1 of chapter 220 of the Laws of 1901, as amended by section 1 of chapter 333 of the Laws of 1917, section 1 of chapter 352 of the Laws of 1947 and section 2 of chapter 437 of the Laws of 1957, by striking out said section and inserting in place thereof the following: Sect. 1. The annual salaries of the members of the board of aldermen of the city of Manchester shall be set by the board of mayor and aldermen and shall be payable quarterly.

3 School Committee. Amend section 1 of chapter 323 of the Laws of 1909, as amended by chapter 270 of the Laws of 1931 and chapter 437 of the Laws of 1957 by striking out the last sentence thereof and inserting in place thereof the following, The annual salaries of the members of said school committee, with the exception of the mayor, shall be set by the board of mayor and aldermen; so that said section as amended shall read as follows: Section 1. At every election hereafter held in said city of Manchester there shall be elected from each ward one member of the board of school committee, who shall hold his office for the term of two years from the first Tuesday of January next following their election. The annual salaries of the members of said school committee, with the exception of the mayor, shall be set by the board of mayor and aldermen.

Further amend said bill by renumbering sections 2 and 3 to read 4 and 5.

Mr. Hart of Manchester moved that HB 304 be made a special order for 11:01 o'clock on Wednesday next and spoke in favor of the motion.

Mr. Kearns of Manchester moved that HB 304 be laid on the table and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Hart of Manchester requested a division.

213 members having voted in the affirmative and 79 in the negative the motion to lay HB 304 on the table prevailed.

Mr. Belanger of Manchester for the Special Committee consisting of the members from the city of Manchester.

HB 301, relative to salaries of members of the Manchester finance commission. Inexpedient to legislate.

Minority, ought to pass with amendment.

Nick Hart

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act providing for a referendum relative to the Manchester Finance Commission.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Repeal. Chapter 226 of the Laws of 1921 as amended by 1957, 434:1 relative to a finance commission for the city of Manchester is hereby repealed.

2 Repeal. Section 6-a of chapter 226 of the Laws of 1921, as inserted by 1957, 434:1, relative to limitations upon the powers of the Manchester Finance Commission is hereby repealed.

3 Referendum. At the regular municipal election to be held in the city of Manchester in November, 1961, the city clerk then in office shall cause to be included on the ballot then used the following questions:

A. "Shall the law establishing a finance commission for the city of Manchester be repealed?"

B. "Shall the law limiting the authority of the finance commission for the city of Manchester be repealed?"

Beneath each question shall be printed the word "yes" and the word "no" with a square immediately opposite each said word in which the voter may indicate his choice.

4 Takes Effect. The provisions of section 3 of this act shall take effect upon its passage. If, on the referendum provided in section 3, question "A" of section 3 shall receive more affirmative votes than question "B" of said section, section 1 of this act shall take effect January 1, 1962 and section 2 of this act shall be void. If, on the referendum provided in section 3, question "B" of section 3 shall receive more affirmative votes than question "A" of said section, section 2 of this act shall take effect January 1, 1962 and section 1 of this act shall be void.

Mr. Hart of Manchester moved that HB 301 be made a special order for 11:01 on Wednesday next, and spoke in favor of the motion.

Mr. Kearns of Manchester explained the bill.

Mr. Sheridan of Berlin spoke against the motion.

Mr. Crowley of Manchester spoke against the motion.

Mr. Hart of Manchester spoke a second time in favor of the motion.

Mr. Hart of Manchester requested a division.

149 members having voted in the affirmative and 98 in the negative the motion for a special order prevailed.

Mr. Hill of Conway for the Committee on Ways and Means.

SB 67, relative to collection of taxes from contractors and subcontractors. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Allen of Rindge for the Committee on Ways and Means.

SB 118, to establish a new apportionment for the assessment of public taxes. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 51, providing for open season for taking fisher.

HB 198, relative to the sale of liquor and beverages on Sundays by first-class restaurants.

HB 260, relative to damage to game and hunting with dogs.

HB 273, relating to trust companies.

SB 99, to regulate the sale and use of hydraulic brake fluids for motor vehicles.

SB 112, increasing the powers of the college of advanced science.

SB 116, in favor of Milo H. Cheney.

SB 126, for the encouraging of community colleges.

On motion of Mr. Pickett of Keene the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by

title only, and that when the House adjourns today it be to meet next Wednesday morning at 11:00 o'clock.

Third Reading

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 407, relative to the workmen's compensation law.

HB 392, relative to the disposition of professional fees.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 125, legalizing the organization meeting and first annual meeting of the Monadnock Regional School District.

SB 67, relative to collection of taxes from contractors and subcontractors.

SB 118, to establish a new apportionment for the assessment of public taxes.

On motion of Mrs. Cole of Nashua the House adjourned at 5:30 o'clock.

WEDNESDAY, MAY 31, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend Uel A. Gardner of the Middleton Gospel Chapel, as follows:

Almighty God, Thou that hearest prayer, give us the faith this day to believe Thee and that Thou art the rewarder of them that diligently seek Thee.

We thank Thee for this day that Thou hast given us, and seek Thy wisdom to fulfill the purpose of it.

We humbly invoke Thy blessing upon the Governor of this State, his council and this body of citizens entrusted with the making of its laws. May we take heed to the admonition of Thy wise servant who said, "Be not wise in thine own eyes:

trust in the Lord with all thine heart; and lean not unto thine own understanding. In all thy ways acknowledge Him, and He shall direct thy paths."

Help us this day, our Father, to seek Thy will.

Cleanse our hearts, O Lord, from all malice, and guile, and hypocrisies, all envies and bitterness, and fill us with concern for the well being of our fellowmen so that when this day is done we may know that by Thy help, we have continued to serve this government of the people, by the people and for the people with all sincerity.

We ask all this, with thanksgiving, in the name of Thy Son, Jesus Christ, our Lord and Saviour. Amen.

Pledge of Allegiance to the Flag

Mr. Drew of Farmington led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of 7th grade students from St. Peter's school of Concord, courtesy of Mr. Audet of Concord.

Leaves of Absence

Mr. Bragg of Lancaster was granted leave of absence for the week on account of illness in the family.

Messrs. Healy of Manchester, Ward 8 and Hunter of Hampton were granted leave of absence for the week on account of illness.

Mr. Wiggin of Dover was granted an indefinite leave of absence on account of illness.

Messrs. Peabody of Pelham and Locke of New Boston were granted a leave of absence for the day on account of important business.

First and Second Reading of a House Bill

HB 477, to redistrict the state into senatorial districts (Bowles of Portsmouth) to Judiciary.

Committee Reports

Mr. Bigelow of Warner for the Committee on Banks, HB 43, providing limitations on rate of interest on loans of over three hundred dollars. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following: An act regulating small loans and providing limitations on rate of interest and charges generally. Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 399 the following new chapter:

Chapter 399-A

Regulation of Small Loans

399-A:1 Definitions. The following words and phrases as used in this chapter shall have the meaning indicated unless a contrary meaning shall appear in the context:

I. "Person" means any individual, firm, voluntary association, joint-stock company, incorporated society, partnership, trust, corporation or any other legal entity.

II. "Commissioner" means the bank commissioner.

III. "Licensee" means a person to whom one or more licenses have been issued under this chapter.

IV. "License" means the authority to do business issued by the commissioner under the provisions of this chapter.

V. "Fiscal Year" means the twelve month period ending June 30.

399-A:2 Scope; Exemptions; Penalty. I. No person shall, without first obtaining a license from the commissioner as hereinafter provided, engage in the business of making loans in amounts of one thousand dollars or less and contract for, exact or receive, directly or indirectly, in connection with any such loan any charges, whether for interest, compensation, brokerage, endorsement fees, consideration, expense or otherwise, which in the aggregate are greater than six per cent per annum.

II. This chapter shall not apply to any person lawfully engaged in business as permitted by the laws of this state or of the United States relative to banks, trust companies, insurance companies, savings or building and loan associations, credit unions or pawnbrokers or to loans made by them.

III. Any person not exempt under paragraph II of this section, and the several members, officers, directors, agents and employees thereof, who shall wilfully violate or participate in the violation of any provision of paragraph I of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars. Any contract of loan in the making or collection of which any act shall have been done which violates paragraph I of this section shall be void and the lender shall have no right to collect, receive or retain any principal, interest or charges whatsoever.

399-A:3 Amount of Loan and Maximum Charges. I. A licensee may lend any sum of money, goods, or things of value not exceeding in amount or value one thousand dollars, excluding charges, upon such security not forbidden by section 7 as may be agreed upon, under a contract which permits the combined total of the principal and charges to be paid in substantially equal and consecutive monthly installments and may charge, contract for and receive charges not exceeding sixteen dollars per one hundred dollars per year on that part of the principal of the loan not exceeding four hundred dollars and thirteen dollars per hundred dollars per year on that part of the principal of the loan exceeding four hundred dollars but not exceeding one thousand dollars and proportionately at those rates for a greater or lesser amount, within said limits, or over a longer or shorter term of loan. Such charges shall be computed when the loan is made on the principal of the loan for the full term of the loan contract and shall be added to the principal of the loan and the resulting sum shall be the face amount of the note. Every payment may be applied to the combined total of principal and charges until the contract is fully paid. If the contract is prepaid in full by cash, a new loan or otherwise before the final installment date the unearned portion of the charge shall be rebated. In computing any such rebate the charges applicable to a monthly period which has not fully elapsed shall not be deemed to be earned unless more

than one half of said period has elapsed on the date of prepayment in full. The portion of the charge applicable to any particular month of the contract shall be that proportion of the charges which the balance of the contract scheduled to be outstanding during such month bears to the sum of all monthly balances originally scheduled by the contract. Upon request, the lender shall deliver to the borrower a copy of the formula used in rebating charges.

II. If the contract so provides, a licensee may charge and collect an additional charge for either default or deferment. When one-half or more of the installment remains unpaid ten or more successive calendar days from the due date, it shall be in default. The additional charge for default may be collected at the time of default or at any time thereafter. The charge for default will be five cents per dollar for each dollar of the regular contract payment. If a borrower desires to defer the scheduled contract payment it will have the effect of extending the contract for an additional month. The assessment charge for a deferred payment will be one per cent of the actual existing or ledger card balance of the account. This charge will be collected only once for each deferment.

III. In computing charges a month shall be that period of time from any date in a month to the corresponding date in the next month but if there is no such corresponding date then to the last day of such next month and a day shall be considered one-thirtieth of a month when computation is made for a fraction of a month.

IV. If charges in excess of those permitted by this chapter shall be charged, contracted for or received except as a result of an accidental or bona fide error the contract of loan shall be void and the licensee shall have no right to collect or receive any principal, charges or recompense whatsoever.

399-A:4 Maximum Maturity and Charges Thereafter. Any loan contract subject to the provisions of this chapter shall have an originally scheduled final installment date not later than twenty-four months from the date of the loan. Notwithstanding any other provisions of this chapter the charges which may be collected on any loan made under this chapter for the period beginning six months after the originally scheduled final installment date of the loan and ending with date of payment of the loan in full shall not exceed six per cent per annum

simple interest on the balance outstanding from time to time during said period.

399-A:5 Requirements for Making and Payment of Loans. I. Every licensee shall: (a) mail or deliver to the borrower, or if more than one, to one of them, at the time of making a loan under this chapter, a statement showing the date of the loan; the amount of the loan; the nature of the security, if any, for the loan; the name and address of the borrower and of the licensee; the description or schedule of payments on such loan; the charges contracted for, a statement that the borrower may be entitled to a rebate in the event the loan is prepaid in full; or a copy of the loan obligation if it discloses such information; (b) give to the person making any cash payment on account of any loan a receipt at the time such payment is made. The use of a coupon book system shall be deemed in compliance with this section; (c) permit payment in advance in amount equal to one or more full installment at any time during the regular business hours of the licensee; (d) upon repayment of a loan in full, mark plainly every note or other evidence of the indebtedness or assignment signed by an obligor with the words "PAID IN FULL" or "CANCELLED" and release or provide the borrower evidence to release any mortgage or security instrument no longer securing any indebtedness to the licensee.

II. No licensee shall take any confession of judgment or any power of attorney running to himself or to any third person to confess judgment or to appear for the borrower in a judicial proceeding; nor take any note or promise to pay which does not disclose the date and amount of the note, a schedule or description of the payments to be made thereon, and the agreed charges or rate of charge; nor take any instrument in which blanks are left to be filled in after the loan is made.

399-A:16 Renewal of Loan. If a borrower desires to renew an existing loan for the purpose of obtaining additional cash a new contract shall be drawn up in its entirety and the prior loan shall be paid in full from the proceeds of the new loan. All legal papers in connection with the previous loan shall be stamped "PAID IN FULL" and returned to the customer.

399-A:17 Certain Collateral Prohibited. No licensee shall be permitted to accept real estate or household furniture presently in use as collateral on a loan under this chapter.

399-A:8 Loans Made Elsewhere. Any loan made outside this state in conformity to the law of the place where made which would have been subject to the provisions of this chapter had it been made in this state after the effective date of this chapter may be collected in this state by a licensee or others, but the charges thereon which may be collected shall not exceed those permitted by this chapter.

399-A:9 Other Business in Same Office. A licensee may conduct a business of making loans under this chapter within any office, suite, room or place of business in which any other business is solicited or engaged in, or in association or conjunction with any other business, unless the commissioner shall find, after a hearing, that the conduct of such other business by the licensee or other person in the particular licensed office has concealed evasion of this chapter and shall order such licensee, in writing, to desist from such conduct in such office.

399-A:10 Recording Fees. No charge for any examination, service, brokerage, commission, or other thing, or otherwise, shall be directly or indirectly made, contracted for, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer, for filing, or recording in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter.

399-A:11 Insurance. I. Credit life. Subject to the conditions provided in this section and the provisions of chapter 408-A, RSA, insurance may be sold to the borrower at his request for insuring the life of one person obligated on a loan. Such insurance, issued by a company qualified to do business in this state, shall be in an amount scheduled to be owed by the borrower to the licensee at any time prior to the final maturity date of the loan. Such licensee shall not collect from the borrower any charge therefor in excess of an amount computed at the average rate determined by the insuring company for the policy issued to the licensee and in no case shall the charge to the borrower exceed fifty cents per one hundred dollars per year, provided any policy dividend or returned premium shall be applied by the licensee during the ensuing year against charges for such insurance. In the event of prepayment of the loan by cash, renewing or refinancing, the charge for insurance shall be subject to refund computed on a pro rata basis. Only one such amount may be collected in connection with any loan

contract irrespective of the number of obligors, and only one obligor may be insured. The licensee shall, at the time the loan is made, deliver to the borrower a policy or certificate of insurance covering the insurance procured through the licensee and shall set forth the amount of insurance premium which the borrower has paid or is obligated to pay, the amount of insurance, the term of insurance, the basis for refunds and a complete description of the risks insured. Such policy or certificate may contain appropriate provisions to protect the insurable interest of the licensee.

II. Tangible personalty. The licensee may require a borrower to insure tangible personal property given to secure the loan against any substantial risk of loss, damage, or destruction for an amount not to exceed the reasonable value of the property insured or the amount of the loan, whichever is less, and for the customary insurance term approximating the term of the loan. The borrower shall not be required to insure against unusual or exceptional risks not ordinarily insured against in policies issued to non-borrowers. The premium for such insurance may be included in the principal amount of the loan. Such insurance shall be written by or through a duly licensed insurance agent or broker with a company qualified to do business in New Hampshire. Such insurance shall name the borrower as insured but may include the licensee as co-insured or protect the interest of the licensee under a loss-payable clause. No licensee shall require a borrower to duplicate or cancel existing insurance or to purchase insurance from a licensee or any employee, affiliate or associate of the licensee or from any agent, broker or insurance company designated by the licensee, as a condition precedent to the making of the loan.

399-A:12 Application and Fees. Application for a license shall be in writing, under penalty of perjury, and in the form prescribed by the commissioner. The application shall give the location where the business is to be conducted, and shall include the names and addresses of the partners, officers, directors, or trustees of the applicant. At the time of making such application, the applicant shall pay to the commissioner the sum of one hundred dollars as an annual license fee provided, that if the application is made after October first in any year the license fee shall be fifty dollars.

399-A:13 Small Loan License Fund. The bank commissioner shall keep a separate account, in the state treasurer's office,

to be known as the small loan license fund. Moneys received from payment of fees under this chapter shall be credited to the small loan license fund. This fund may be expended by the commissioner with the approval of governor and council for the purpose of supervising persons subject to the provisions of this chapter.

399-A:14 Investigation of Application; License Requirements. Upon the filing of such application and the payment of such fees, the commissioner shall send a notice of the pending application to all licensees in the community in which the applicant proposes to do business and he shall investigate the facts concerning the application. Every licensee so notified shall have ten days after the date of notification to file a notice of objection to the granting of such application. Within ten days thereafter the objecting licensee shall file a statement, supporting his objection. Failure to file such statement within such period of time shall be deemed withdrawal of such objection. If the commissioner shall find that (a) the financial responsibility, experience, character and general fitness of the applicant are such as to command the confidence of the public and to warrant the belief that the business will be operated lawfully, honestly and fairly within the purposes of this chapter; and that (b) the applicant has available for use in such business at the location specified in the application at least twenty-five thousand dollars, or, in the case of the licensee, has such amount available or actually invested in loans made under this chapter, he shall enter an order approving such application and deliver a license to the applicant. If the commissioner shall not so find, he shall enter an order denying such application and forthwith notify the applicant of the denial, returning the licensee fee.

399-A:15 — Exception. Any person primarily and continuously engaged in the business of making loans in the community to be served by the location for which application for license is made in amounts in excess of three hundred dollars but not more than one thousand dollars from July 1, 1959 until the effective date of this chapter, and who has available for use or actually invested in loans which would have been subject to this chapter had they been made after the effective date of this chapter, or any combination thereof, an amount of capital not less than twenty-five thousand dollars, shall not be required to comply with requirement (b) of the preceding section in order to

be entitled to be licensed if application for license is made within sixty days after the effective date of this chapter.

399-A:16 Bond. The applicant shall also, at the same time, file with the commissioner a surety company bond to the state, in the sum of five thousand dollars, to be approved by the commissioner, for the use of the state and of any person who may have a cause of action against the principal in said bond under the provisions of this chapter and conditioned that he will conform to and abide by each provision of this chapter and will pay to the state and to any such person any sum that may become due or owing to the state or to such person from said principal under and by virtue of the provisions hereof.

399-A:17 License; Posting and Change of Name. No person, partnership, or corporation shall make any loan of money, credit, goods, or things of value in the amount or to the value of one thousand dollars or less whether secured or unsecured, and charge, contract for, or receive a greater rate of interest than six per cent per annum therefor without holding a license from the bank commissioner. Each such license shall terminate on the first day of April next following its issue. Each license shall remain in full force and effect until surrendered, revoked, suspended or terminated. Each such license shall state the name and address of the licensee and shall be posted in the licensee's place of business. No license shall be transferable or assignable. Before the corporate or trade name under which the licensed business is conducted is changed the licensee shall give notice to the commissioner who shall amend the license accordingly without cost unless, in the opinion of the commissioner, the proposed change of name conflicts or might conflict with any existing registered name of any licensee.

399-A:18 Place of Business. No licensee shall make any loan or transact any business provided for by this chapter under any other name, or at or from any other place of business than stated in the license, except that nothing shall prevent the making of loans, otherwise authorized under this chapter, by mail or prohibit accommodations to individual borrowers necessitated by sickness or emergency. Not more than one place of business for the making of loans pursuant to this chapter shall be maintained under the same license, but the commissioner may issue additional licenses to the same licensee under compliance with all the provisions of this chapter covering issuance of a single license. No change in the location of a licensed

business shall take place to a location outside the city or town specified in the license without the written approval of the commissioner.

399-A:19 Revocation and Suspension of License. I. If the commissioner has reason to believe that grounds for suspension of a license exist he may suspend such license and shall send written notice to the licensee of such suspension stating in general, the grounds therefor and setting a date for hearing thereon. Such suspension shall not exceed a period of twenty days pending the holding of a hearing. At the conclusion of such hearing, the commissioner shall issue a written order either (a) terminating the suspension, (b) suspending the license for a period of not more than sixty days which period shall include the temporary suspension, or (c) revoking the license. The grounds for revocation or suspension shall be that the licensee, knowingly, has violated any provision of this chapter.

II. Any licensee may surrender any license by delivering it to the commissioner with written notice of a surrender, but such surrender shall not affect, civil or criminal liability for acts committed prior thereto.

III. No revocation, suspension or surrender of any license shall impair or affect the obligation of any pre-existing lawful contract between the licensee and any obligors, and such contracts and all lawful charges thereon may be collected by the licensee, its successors and assigns.

399-A:20 Examinations; Cease and Desist Orders; Injunctions. I. The commissioner or his duly authorized representative may at any time and shall periodically investigate the business and examine the books, accounts, papers and records of each licensee pertaining to the business of making loans of one thousand dollars or less.

II. The commissioner or his duly authorized representative may investigate at any time any person engaged in the business or participating in such business as principal, agent, broker, or otherwise; or any person who the commissioner has reasonable cause to believe is violating or is about to violate any provisions of this chapter, whether such person shall claim to be within the authority or beyond the scope of this chapter. Any person not exempt hereunder who shall advertise for, solicit or hold himself out as willing to make or procure loans

in the amount of, or of the value of, one thousand dollars or less shall be presumed to be engaged in the business described in paragraph I, section 2, of this chapter.

III. For the purpose of this section, the commissioner or his duly authorized representative shall have and be given free access to the office and places of business, files, safes and vaults of all such persons, and shall have authority to require the attendance of any person and to examine him under oath relative to such loans or such business or to the subject matter of any examination, investigation or hearing, and shall have authority to require the production of books, accounts, papers and records of such persons.

IV. Whenever the commissioner has reasonable cause to believe that any person is engaging in the business described in paragraph I, section 2, of this chapter without obtaining a license as provided herein, he may in addition to all actions provided for in this chapter and without prejudice thereto, enter an order requiring such person to desist or to refrain from such violation; and an action may be brought by the commissioner to enjoin such person from engaging in or continuing such violation or from doing any act or acts in furtherance thereof. In any such action, an order or judgment may be entered awarding such preliminary or final injunction as may be deemed proper.

399-A:21 Books and Records; Audits; Annual Reports. I. Each licensee shall keep and use in his business such books and accounting records as are in accord with sound and accepted accounting practice and enable the commissioner to determine whether the licensee is complying with this chapter. The licensee's system of records shall be accepted provided it discloses the information required under this section.

II. Every licensee shall at least once a year have its books audited by a certified public accountant registered in New Hampshire and a copy of such audit duly certified by the accountant shall be filed with the commissioner, which audit, so certified, shall be accepted by the commissioner in lieu of an audit made by his department.

III. Each licensee shall, on or before September 1st of each year, file with the commissioner a report of operations of the licensed business for the preceding fiscal year. Such report shall give information with respect to the financial con-

dition of the licensee and shall include balance sheets at the beginning and end of the year; statement of income and expenses for the period; reconciliation of surplus or net worth with the balance sheets; schedule of assets used and useful in the licensed business; classification of loans made by size and security; an analysis of charges including monthly average number and amount of loans outstanding; analysis of delinquent accounts, and court actions undertaken to effect collection. Such report shall be made under the penalties of perjury and shall be in the form prescribed by the commissioner, who shall annually make and publish an analysis and recapitulation of such reports. In the event any person or affiliated group of persons holds more than one license in the state, they may file a composite annual report, in lieu of separate reports for each licensed office provided a short form of report for each licensed place of business shall be included showing the number and amount of loans made during the year and the number and amount of loans outstanding at the beginning and end of the year. Any licensee failing to make the report required by this paragraph within the time prescribed shall pay to the commissioner the sum of five dollars for each day said report is overdue. If a licensee elects to file a composite report and such composite report is not filed on or before September first as herein required the penalty herein prescribed shall apply separately for each license held. Penalties collected hereunder shall be credited to the fund established under section 13.

399-A:22 Deceptive Advertising. No licensee or other person, shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action in the amount of or of the value of one thousand dollars or less, which is false, misleading or deceptive. The commissioner may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions.

399-A:23 No Impairment of Contracts. This chapter, or any part thereof may be modified, amended or repealed so as to effect a cancellation or alteration of any license, or right of a licensee hereunder, provided that such modification, amendment or repeal shall not impair or affect the obligation of any

pre-existing lawful contract between any licensee and any borrowers.

399-A:24 Penalty. Any person and the several members, officers, directors, agents and employees thereof who, knowingly, shall violate any provision of this chapter, shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars and not more than five hundred dollars.

399-A:25 Review. In addition to any other available remedy, any person considering himself aggrieved by any act or omission of the commissioner may, within thirty days from the date of such act, or failure to act, bring an action in the superior court to review such act, or failure to act. The hearing before the court shall be based on the record before the commissioner and his findings and on such new evidence as may be introduced.

2 Existing License. All persons holding valid licenses under chapter 399 RSA at the time this act becomes effective, shall be deemed to have licenses under chapter 399-A and the commissioner shall, within a reasonable time and without cost, issue to such persons licensed under chapter 399-A.

3 Repeal RSA 399 (supp) as amended by 1955, 99:1, 2, relative to regulations to small loans is hereby repealed.

4 Exemptions from Trustee Process. Amend RSA 512:21 by inserting after paragraph VIII (supp) as amended by 1957, 55:1 the following new paragraphs: IX. Wages of the defendant earned before the service of the writ upon the trustee, to the amount of forty dollars for each week shall be exempt in any action founded upon any loan contract subject to the provisions of RSA 399-A.

X. Wages of the defendant earned before service of the writ upon the trustee if the defendant is a married woman and the action is founded upon any loan contract subject to the provisions of RSA 399-A on which her husband is an obligor, jointly or severally, contingently or otherwise.

5 Exception to Basic Exemption of Wages. Amend paragraph II of RSA 512:21 by inserting after the numeral "II" in the first line the words, except as otherwise provided in paragraphs IX and X of this section, so that said paragraph as amended shall read as follows:

II. Except as otherwise provided in paragraphs IX and X of this section wages of the defendant earned before the service of the writ upon the trustee, to the amount of twenty dollars for each week shall be exempt. The employer shall pay said exempted amount to the employee on the usual pay day unless other cause exists prohibiting such payment.

6 Loans of One Thousand Dollars and Less. Amend RSA 384:1 by striking out the words "three hundred" in the fifth line and inserting in place thereof the words, one thousand, so that said section as amended shall read as follows: 384:1 Application of Title. The provisions of this title, so far as they properly may, shall apply to state banks, savings banks or institutions for savings, trust companies, banking companies and all similar corporations, building and loan associations, credit unions, Morris plan banks and the business of making loans in sums of one thousand dollars or less, unless otherwise limited in their operation.

7 Limitations on interest rates and charges. Amend RSA 336:1 by striking out said section and inserting in place thereof the following: 336:1 Rate of Interest. In rendering judgments, and in all business transactions where interest is paid or secured, it shall be computed and paid at the rate of six dollars on a hundred dollars for one year, unless a different rate is expressly stipulated in writing, provided that, unless specifically authorized by other provisions of law, no person, partnership or corporation shall make any loan of money, credit, goods or things of value, whether secured or unsecured, or any conditional sale in the amount or to a value in excess of one thousand dollars, and charge, contract or receive directly or indirectly a rate of interest greater than twelve dollars on a hundred dollars for one year nor any conditional sale of goods of the value of one thousand dollars, or less, and charge, contract for, or receive, directly or indirectly, a rate of charge greater than that permitted on small loans of like amount under the provisions of chapter 399-A, RSA and a charge, contract for, or receipt of a greater rate of interest than said twelve dollars on a hundred dollars for one year or of a greater charge than said small loan charge as the case may be shall invalidate the entire transaction which shall be void ab initio.

8 Application of Statute. The provisions of the preceding section shall not apply to or affect contracts in force at the time this act becomes effective.

9 New Chapter. Amend RSA by inserting after chapter 399-A as inserted by section 1 of this act the following new chapter:

Chapter 399-B

Disclosure of Finance Charges

399-B:1 Definitions. Whenever used in this chapter the following words shall have the meanings set opposite them below:

I. "Credit," means any loan, residential mortgage, deed of trust, advance, or discount; any conditional sales contract; any contract to sell, or sale, or contract of sale of property or services, either for present or future delivery, under which part or all of the price is payable subsequent to the making of such sale or contract; any rental-purchase contract; any contract or arrangement for the hire, bailment, or leasing of property; any option, demand, lien, pledge, or other claim against, or for the delivery of, property or money; any purchase, discount, or other acquisition of, or any credit upon the security of, any obligation or claim arising out of any of the foregoing; and any transaction or series of transactions having a similar purpose or effect.

II. "Finance charges," includes charges such as interest, fees, service charges, discounts, and other charges associated with the extension of credit.

III. "Person," means any individual, partnership, association, corporation, or unincorporated organization.

399-B:2 Statement Required. Any person engaged in the business of extending credit shall furnish to each person to whom such credit is extended, concurrently with the consummation of the transaction, a clear statement in writing setting forth the total amount of the finance charges to be borne by such person in connection with such extension of credit as originally scheduled.

399-B:3 Prohibition. No person shall extend credit in contravention of this chapter.

399-B:4 Penalty. Any person who willfully violates any provision of this chapter shall be fined not more than five hundred dollars or imprisoned not more than sixty days, or both.

10 Takes Effect. This act shall take effect sixty days after its passage.

Mr. Pickett of Keene moved that HB 43 be made a Special Order of Business for Wednesday next at 11:01 o'clock and spoke in favor of the motion.

Messrs. Bigelow of Warner, Hancock of Concord, Ma-loomian of Somersworth, Chandler of Bartlett and Geisel of Manchester spoke against the motion.

Mr. Downing of Newport spoke in favor of the motion.

Mr. Pickett of Keene spoke in favor of the motion a second time.

Mr. Hancock of Concord spoke against the motion a second time.

On a *viva voce* vote the motion was lost.

Mr. Pickett of Keene requested a division.

The division vote being manifestly in the negative the motion was lost.

The question now being on the adoption of the amendments as offered by the committee.

At the request of Mr. Downing of Newport, Mr. Bigelow of Warner explained the amendments.

(discussion ensued)

On a *viva voce* vote the amendments were adopted.

Mr. Hancock of Concord offered the following amendment:

Amend RSA 399-A:3 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

399-A:3 Amount of Loan; Maximum Charge; Prohibitions. I. A licensee may make loans not in excess of one thousand dollars and charge thereon interest at rates not in excess of the following schedule: (a) Two and one half per cent per month on the part of the unpaid balance not in excess of one hundred dollars; (b) two per cent per month on that part of the unpaid balance over one hundred dollars and not in excess of six hundred dollars; (c) one and one-half per cent per month

on that part of the unpaid balance over six hundred dollars and not in excess of one thousand dollars.

II. No licensee shall permit any person, or any husband and wife, jointly or severally, to be obligated to him, on one or more contracts of loan, the total principal balance of which is more than one thousand dollars.

III. No licensee shall induce or permit any borrower to split up or divide any loan. No licensee shall induce or permit any person, or any husband or wife, jointly or severally, to become obligated to him, directly or contingently, or both, under more than one contract of loan at the same time, for the purpose or with the result of obtaining a higher rate of charge than would otherwise be permitted by this section.

IV. Interest shall not be paid, deducted or received in advance. Interest shall be computed and paid only on unpaid principal balances and shall not be compounded. The maximum interest permitted hereunder shall be computed on the basis of the number of days actually elapsed and for the purpose of such computations a month shall be any period of thirty consecutive days. In addition to the interest charges permitted hereunder no further or other charge or amount whatsoever for any examination, service, brokerage, commission, expense, fee, bonus or any loan of money, credit, goods or things of value, whether secured bonus or other thing shall be directly or indirectly, charged, contracted for or received, except that the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer for filing or recording in any public office any instrument securing the loan may be collected from the borrower at the time the loan is made or at any time thereafter. Every registrant shall permit payment to be made in advance in any amount on any loan at any time, but the registrant may apply such payment first to charges to the date of payment. If any interest, consideration, or charges in excess of those permitted by this chapter are charged, contracted for, or received the contract of loan shall be void and the licensee shall have no right to collect or receive any principal, interest or charges whatsoever.

The Clerk read the amendment in full.

Mr. Hancock of Concord spoke in favor of the amendment.

Mr. Stevens of Epsom spoke against the amendment.

(discussion ensued)

Mrs. Clark of Lee spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Hancock of Concord offered the following amendment:

Amend RSA 399-A:12 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

399-A:12 Application and Fees. Application for a license shall be in writing, under penalty of perjury, and in the form prescribed by the commissioner. The application shall give the location where the business is to be conducted, and shall include the names and addresses of the partners, officers, directors, or trustees of the applicant. At the time of making such application, the applicant shall pay to the commissioner the sum of two hundred dollars as an annual license fee provided, that if the application is made after October first in any year the license fee shall be one hundred dollars.

The Clerk read the amendment in full.

Mr. Hancock explained the amendment.

Mr. Bigelow of Warner spoke against the amendment.

On a *viva voce* vote the amendment was adopted.

(discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Milliken of Nashua for the Committee on Labor, HB 275, to establish time and one-half for overtime work performed by state employees. Inexpedient to legislate.

Mr. Angus of Claremont explained the resolution of the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Marsh of Colebrook for the Committee on Public Works, HB 285, relative to improvement and maintenance of a section of highway and a bridge between Northumberland and Guildhall, Vermont. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. Martin of Littleton for the Committee on Finance, HJR 30, providing special equipment to be used in searching for lost persons. Ought to pass with amendment.

Amend said joint resolution by striking out in the seventh line the word "governor" and inserting in place thereof the words, fish and game department, so that said joint resolution as amended shall read as follows:

That the sum of three thousand dollars is hereby appropriated to be expended by the department of public works and highways for the purchase of special equipment for use in searching for lost persons in the state. Said equipment shall consist of a horn together with a device such as a truck mounted air compressor type such as used on construction work. Said special equipment shall be available for use upon request of the fish and game department. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

At the request of Mr. Newell of Concord, Mr. Bell of Plymouth explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Claffin of Wolfeboro for the Committee on Transportation, HB 428, relative to railroad crossings. Ought to pass with amendment.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Reconstruction. Amend RSA 373:3 by striking out said section and inserting in place thereof the following: 373:3 Payment of Cost and Maintenance of Bridges and Crossings. Any order issued under the preceding section shall provide that the entire cost shall be paid by the state if such crossing, whether or not at grade, is located at the intersection of a railroad and a state highway, trunk line or state-aided highway or shall provide for the apportionment of the cost (1) between the railroad in interest if the crossing eliminated or improved is a railroad crossing or (2) between the state and the munic-

ipality if such crossing, whether or not at grade, is located at the intersection of a railroad and a highway other than those above specified. The cost of the care, control and maintenance of bridges that carry highways over railroads is hereby transferred to and is assumed by the state acting through the department of public works and highways, capital expenditures on which are not to be incurred without the prior approval of the said department. The actual work and the providing of materials therefor may be performed by the railroad or the said department as agreed upon between the parties, the railroad to be reimbursed by the said department for the work performed and the materials furnished. The railroad shall keep records of said costs in such form as the state through the said department may require.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Cost of Maintenance. Amend RSA 373:10 by striking out said section and inserting in place thereof the following: 373:10 Railroad Signs, Gates and Other Protection. Every railroad shall construct, or improve, and operate and maintain at every grade crossing of its railroad with another railroad or highway such warning signs, gates or other protection; it shall so regulate the speed of its trains across any grade crossing and it shall give such appropriate warning of the approach of its trains to any grade crossing as the commission, after notice and hearing, may find necessary in the interest of safety of the railroad or of the public, provided, however, that cost of constructing or improving such warning signs, gates or other protection shall be apportioned in accordance with the provisions of section 3 of this chapter. The railroad shall maintain signs, signals, gates or other equipment, installed within the limits of its right of way after the installation thereof, provided, however, that the cost of maintenance and operation of signs, signals, gates or other protection at grade crossing shall be borne by the state.

Mr. Willey of Campton moved that further consideration of HB 428 be indefinitely postponed and spoke in favor of the motion.

Mr. Pillsbury of Manchester moved that HB 428 be referred to the committee on Appropriations and spoke in favor of the motion.

(discussion ensued)

Mr. Hill of Conway spoke in favor of the motion.

Mr. Coutermarsh of Lebanon spoke against the motion.

Messrs. Angus of Claremont, Chandler of Bartlett, Willey of Campton and Coutermarsh of Lebanon spoke in favor of the motion.

The question now being on the motion of Mr. Pillsbury of Manchester that the bill be committed to the committee on Appropriations.

On a *viva voce* vote the motion prevailed.

Recess

After Recess

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 262, relative to disposal of lumber slash. Inexpedient to legislate subject matter covered by existing legislation.

On a *viva voce* vote the resolution was adopted.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 354, relating to the disinfection of public water supply systems. Ought to pass with amendment.

Amend RSA 148:24-b as inserted by section 1 of the bill by striking out in the fourth line the words "one hundred" and inserting in place thereof the word, ten, and by striking out in the fourth line the words "one thousand" and inserting in place thereof the word, twenty-five; further amend by adding at the end thereof the following words, Said penalty shall not be invoked in the event of a bona fide emergency arising from an unavoidable or unforeseen failure or casualty to such treatment facilities. It shall be the duty of the municipality, corporation or person in responsible charge of said public water supply system to give immediate notice of the emergency condition to the State Board of Health in order that appropriate action to safeguard the public health may be taken, so that said section as amended shall read as follows:

148:24-b Penalty. Any municipality, corporation or person who shall fail to install or to operate and maintain disinfection facilities in accordance with the foregoing requirements shall be fined not less than ten dollars nor more than twenty-five dollars for each day of failure to so install, operate or maintain such equipment. Said penalty shall not be invoked in the event of a bona fide emergency arising from an unavoidable or unforeseen failure or casualty to such treatment facilities. It shall be the duty of the municipality, corporation or person in responsible charge of said public water supply system to give immediate notice of the emergency condition to the State Board of Health in order that appropriate action to safeguard the public health may be taken.

The Clerk read the amendment in full.

Mr. Nickerson of Goffstown moved that further consideration of HB 354 be indefinitely postponed and spoke in favor of the motion.

Mr. Urie of New Hampton spoke against the motion.

(discussion ensued)

Mr. Coutermarsh of Lebanon spoke against the motion.

Miss Collyer of Lisbon spoke in favor of the motion.

(discussion ensued)

On a *viva voce* vote the motion was not adopted.

On a *viva voce* vote the amendment was adopted.

Mr. Nickerson of Goffstown offered the following amendment:

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Takes Effect. The provisions of section 1 shall take effect only in such towns as approve the adoption thereof by a majority vote of the legal voters of the water precinct and voting by ballot at an annual town meeting.

The Clerk read the amendment in full.

Mr. Nickerson spoke in favor of the amendment.

Mr. Bowler of Hanover spoke against the amendment.

Messrs. Charland of Franklin and Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Nickerson of Goffstown requested a division.

The Chair requested a quorum count. 311 members were present.

115 members voting in the affirmative and 133 in the negative the amendment was not adopted.

Mr. Galloway of Walpole offered the following amendment.

Amend section 1 of the bill by striking out the word "ten" where it appears relative to what constitutes a public water supply, and inserting in place thereof the word, "thirty," so that said section as amended shall read as follows:

The Clerk read the amendment in full.

Mr. Galloway of Walpole spoke in favor of the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted.

Mr. Nickerson of Goffstown offered the following amendment:

Amend RSA 148:24a as inserted by section 1 of the bill by adding at the end thereof the words, Any expense of installation facilities for chlorination shall be borne by the state, so that said section as amended shall read as follows: 148:24-a Disinfection. Any public water supply system serving thirty or more consumers (each family, tenement, store or other establishment being considered a single consumer) which system utilized any of the surface waters of the state, as defined in RSA 149, as the source of supply, shall, as a minimum means of treatment, be provided with suitable chlorination or other disinfection facilities installed, operated and maintained in accordance with regulations of the state board of health promulgated hereunder. Any expense of installation facilities for chlorination shall be borne by the state.

The Clerk read the amendment in full.

Mr. Nickerson of Goffstown spoke in favor of the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was not adopted.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 121, relative to the relocation of water supplies required by construction of interstate highway system. Inexpedient to legislate.

Minority, ought to pass.

H. Thomas Urie

Mr. Coutermarsh of Lebanon moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

(discussion ensued)

On a *viva voce* vote the motion was lost.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 459, providing for the acquisition of certain dams and water rights by the water resources board. Ought to pass with amendment.

Amend RSA 482-A:1 as inserted by section 1 of the bill by adding at the end thereof the following new paragraphs:

III. Dam, water rights and lands used in connection with Swain's Lake Dam in the town of Barrington in Strafford County.

IV. Dam, water rights and lands used in connection with Pittsfield Mill dam on the Suncook River in the town of Pittsfield in Merrimack County.

Amend section 2 of the bill by striking out the word "twenty-one" in the first line and inserting in place thereof the word, twenty-three, so that said section as amended shall read as follows:

2 Appropriation. The sum of twenty-three thousand dollars is hereby appropriated to be expended by the water re-

sources board for carrying out the provisions of RSA 482-A. The sum hereby appropriated shall be a continuing appropriation and shall not lapse. The governor is authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Appropriations under the rules.

Taken From the Table

HB 301, relative to salaries of members of the Manchester finance commission, was taken from the table.

Mr. Hart of Manchester moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate and spoke in favor of the motion.

Mr. Craig of Manchester spoke against the motion.

On a *viva voce* vote the motion was not adopted.

The question now being on the resolution of the committee.

On a *viva voce* vote the resolution was adopted.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Senate Bills and Joint Resolution:

SB 50, authorizing the secretary of state to remove the names of candidates not qualified to be on the ballot.

SB 108, relating to permanent police officers.

SJR 7, in favor of William A. St. Cyr.

Committee of Conference Report

The Committee of Conference, to whom was referred House Joint Resolution No. 13, Joint Resolution authorizing a study of the operation of the milk control act, having considered the same, report the same with the following recommendation: That the House recede from its position of non-

concurrence, that the Senate recede from its position in adopting its amendment, and that the following amendment be adopted:

Amend the Joint Resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of Three thousand, one hundred seventy-eight dollars and seventy-eight cents is hereby appropriated for the purpose of a study by the Department of Agricultural Economics, College of Agriculture, University of New Hampshire, of the history, administration and operation of RSA 183 relating to milk control. Report of the results of this investigation shall be filed with the agricultural committees of the house and senate with a copy to the governor not later than June 1, 1961. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

William T. Robertson

E. A. Adams

John P. Dempsey

Conferees on the part of the House

Philip S. Dunlap

John E. Bunten

Conferees on the part of the Senate

On a *viva voce* vote the report was accepted.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HJR 26, in favor of Priscilla Morneau.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of twelve hundred dollars is hereby appropriated to reimburse Priscilla Moreau for expenses due to injuries at White Lake State Park on July 17, 1960. The payment of this sum is in full and final settlement of any and all

claims arising out of said injury. The appropriation hereunder shall be a charge on funds of the Recreation Division of the Forestry and Recreation Commission.

On motion of Mr. Bell of Plymouth the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 201, providing for the classification of the surface waters of the Lake Massabesic watershed.

Amend the title of said bill by adding at the end thereof the words, and the Miller River watershed, so that said title as amended shall read as follows:

An Act providing for the classification of the surface waters of the Lake Massabesic watershed and the Miller River watershed.

On motion of Mr. Rice of Peterborough the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 124, to establish a department of safety.

Amend the section numbered 106-A:2 as inserted by section 3 of the bill by striking out the word "four" in the fourth line and inserting in place thereof the word, five, so that said section as amended shall read as follows.

106-A:2 Commissioner of Safety. The executive direction of the department of safety shall be under a commissioner of safety, who shall be appointed by the governor and council. He shall hold office for a term of five years from the date of his appointment and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department of safety.

Amend section 7 of said bill by striking out the same and inserting in place thereof the following:

7 Appropriation. In addition to other funds made available to the department of safety there is hereby appropriated the sum of thirteen thousand, two hundred dollars for the fiscal year ending June 30, 1962, or so much thereof as may be necessary, for the salary of the commissioner of safety, and the sum of thirteen thousand and six hundred dollars is hereby appropriated for the fiscal year ending June 30, 1963, for the salary of the commissioner of safety. The sums hereby appropriated shall be a charge upon revenue received by the departments affected by this act. Said sums shall be allocated to the various funds in proportion to the extent of supervision over each former department. No part of the appropriations hereunder shall be a charge against the general funds of the state.

Amend said bill by inserting after the word "police" in line four of section 8 the following, or any person who is a member of the employees retirement system at the effective date of this act and who because of the terms of this act shall be transferred and who shall have been a member of the motor vehicle department with inspectors service for ten years on the effective date of this act, so that said section as amended shall read as follows:

8 Retirement Benefits. Any person who is a member of the employees retirement system at the effective date of this act and who, because of the terms of this act shall be transferred and be reclassified as a member of the division of state police or any person who is a member of the employees retirement system at the effective date of this act and who because of the terms of this act shall be transferred and who shall have been a member of the motor vehicle department with inspectors service for ten years on the effective date of this act shall have an option to continue his membership in the state employees retirement system or may transfer his membership in said system to the police retirement system in accordance with the provisions of RSA 100:23 and 100:24.

Amend said bill by inserting in line nine of sub-section II of section 2 thereof after the word "council" the following, provided that after written notification of vacancies to be filled are received by governor and council from department directors, and if no action is taken on these requests within 30

days, the director of the division concerned may fill such vacancy or vacancies forthwith, so that said sub-section as amended shall read as follows: II. With the approval of the governor and council and of the personnel commission the commissioner of safety is authorized to transfer classified personnel, appropriations or portions thereof relating thereto as well as necessary equipment, within or between any division of the department; providing, always, that no such transfers shall eliminate the classified position transferred. Vacancies in classified positions occurring after July 1, 1961 in any department functions to be transferred to the new department of safety shall not be filled without the approval of the governor and council, provided that after written notification of vacancies to be filled are received by governor and council from department directors, and if no action is taken on these requests within 30 days, the director of the division concerned may fill such vacancy or vacancies forthwith. No permanent classified employee in the state service upon the effective date of this act shall be required to take an examination to remain in his position.

Amend said bill by striking out in the section numbered 106-B:11 as inserted by section 4 of said bill the last sentence and inserting in place thereof the following, the director may designate for liaison with the offices of the respective county attorneys or sheriff such number of state police employees as he may deem advisable for each county, so that said section as amended shall read as follows: 106-B:11 Cooperation with Other Police Forces. The director and employees shall cooperate and exchange information with any other law enforcement agency both within and without this state, including federal authorities, for the purpose of preventing and detecting crime and apprehending criminals. With the approval of the commissioner of safety, the director may, on the request of any responsible official of any such agency, assist such official by detailing to him such police employees, for such length of time and under such conditions as the director may deem proper. The director may designate for liaison with the offices of the respective county attorneys or sheriff such number of state police employees as he may deem advisable for each county.

On motion of Mr. Hill of Littleton the House non-concurred in the Senate amendment and a committee of conference was appointed as follows: Mrs. Clark of Lee, Messrs Allan of Meredith and Dupont of Manchester.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 190, in amendment of Chapter 328, Laws of 1951, creating the New Hampshire Business Development Corporation.

HB 328, relative to salaries of Hillsborough county commissioners.

Communication

East Derry, N. H.
May 27, 1961

Dear Mr. Lamprey:

I wish you would express to the members of the House of Representatives our appreciation for the beautiful prayer offered by your Chaplain, George Pennington, on Wednesday, May 10, 1961, in honor of our son Alan B. Shepard, Jr.

It expresses so beautifully his desires to serve his Country, State, and Town and through his act of bravery and courage, I believe we all feel more united in our fight for freedom, more uplifted by deeds of unselfishness and more encouraged by the prayers of all peoples around the world for our United States success in Space.

Sincerely yours,
Col. and Mrs. Alan B. Shepard

The Chair announced that today is the first birthday of Timothy Patrick Quinn son of Mr. Quinn of Concord.

The Chair also announced that yesterday was the 30th wedding anniversary of Mr. and Mrs. Cormier of Somersworth.

On motion of Mr. Craig of Manchester the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only and resolutions by caption only, and that when the House adjourns today it be in honor of Timothy Patrick Quinn's first birthday, and to meet tomorrow morning at 11:00 o'clock.

Third Readings

The following bills and resolution were read a third time, passed, and sent to the Senate for concurrence:

HB 43, regulating small loans and providing limitations on rate of interest and charges generally.

Mr. Hancock of Concord, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 43 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Third Readings (cont)

HJR 30, providing special equipment to be used in searching for lost persons.

HB 354, relating to the disinfection of public water supply system.

Mr. Urie of New Hampton, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 354 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

On motion of Mrs. Cooper of Nashua the House adjourned at 3:37 o'clock.

THURSDAY, JUNE 1, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by Guest Chaplain, Reverend Theodore B. Hadley of the Congregational Churches of Atkinson and Hampstead, as follows:

Our Heavenly Father:

We thank Thee for another day of life which Thou hast given us, for the chance to serve our fellow men and Thee. Help us to be good stewards of the gifts we have received, lest

we lose our precious heritage through carelessness or neglect. Grant us wisdom that we may help leave the world better than we found it.

Grant Thy blessing upon thy sons and daughters gathered here, that with wisdom and concern they may work for the betterment and progress of our state. Be with our President, to give him guidance and wisdom and protection on a perilous mission.

Help all of us to love our country well, and to glorify Thee always. In the name of the Father, Son and Holy Ghost. Amen.

Pledge of Allegiance to the Flag

Miss Spollett of Hampstead led the Convention in the Pledge of Allegiance to the Flag.

House

The Chair introduced the following groups as guests of the House today:

A group of 4th grade students of the Fisk School of Salem, courtesy of the Salem Delegation.

A group of seniors from the Nute High School of Milton, courtesy of Mr. Reid of Milton.

A group of 8th grade students from the Newton Memorial School of Newton, courtesy of Mr. Cheney of Newton.

A group of fifth grade students from the Dame School of Concord, courtesy of Mr. Welch of Concord.

Leaves of Absence

Messrs. McGee of Lincoln, Bascom of Acworth and Locke of New Boston were granted leave of absence for the day on account of important business.

Mrs. Clark of Lee was granted leave of absence for today and tomorrow on account of important business.

First and Second Reading of a House Bill

HB 478, relative to a bridge over the Merrimack river at Nashua (Pappagianis of Nashua) to Public Works.

Committee Reports

Mr. Bowler of Hanover for the Committee on Public Health, HB 287, requiring registration for physical therapists. Inexpedient to legislate.

Mr. Pillsbury of Manchester moved that HB 287 be referred to the Legislative Council and spoke in favor of the motion.

Miss Collyer of Lisbon and Messrs. Deming of Danville and Bowler of Hanover spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Vachon of Manchester for the special Committee consisting of the Members from the City of Manchester, HB 45, relative to use of voting machines in the city of Manchester. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 City of Manchester; Elections. The mayor and aldermen of the city of Manchester may install voting machines for the elections held in said city. Subsequent to such installation no elections shall be held in said city other than by voting machines as provided herein.

Amend section 4 of the bill by striking out the same and inserting in place thereof the following:

4 State Guarantee. In view of the public benefits which may result from the use of voting machines in the city of Manchester the governor and council are authorized in the name of the state to guarantee unconditionally, but at no time in excess of one hundred and fifty thousand dollars, the payment of all or any portion, as they may find to be in the public interest, of the principal of and interest on any bonds or notes issued by the city of Manchester for the purposes of the provisions of this act. The full faith and credit of the state are pledged for any such guarantee.

The Clerk read the amendment in full.

Mrs. Ainley of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Appropriations under the rules.

Reconsideration

Mr. Newell of Concord moved that the House reconsider its vote whereby it killed SB 56, relative to motor vehicle fees, and spoke in favor of the motion.

Mr. Chandler of Bartlett spoke against the motion.

On a *viva voce* vote the motion to reconsider was lost.

Taken From the Table

HB 165, relative to expenditure of state appropriations, was taken from the table. The question being on the committee amendment.

Mr. Hill of Littleton moved that HB 165 be recommitted to the committee on Executive Departments and Administration and spoke in favor of the motion.

Mr. Newell of Concord spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 124 An act establishing a department of safety, having considered the same, report the same with the recommendation that the House recede from its position of non-concurrence and adopt the amendments sent down by the Honorable Senate.

Shirley M. Clark
Claude E. Dupont
Stuart B. Allan

Conferees on the Part of the House

Samuel Green
Nathan T. Battles

Conferees on the Part of the Senate

On a *viva voce* vote the recommendation was adopted.

Senate Messages

The Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 328, relative to salaries of Hillsborough county commissioners.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1 County Commissioners. Amend RSA 28:28 (supp) as amended by 1955, 247:4, 269:1, 1957, 182:1, 246:1 and 1961, 80:1 by striking out the

Further amend section 1 of said bill by striking out after the word "Cheshire" the words "one thousand six hundred" and inserting in place thereof the words, two thousand.

On motion of Mr. Sabluski of Nashua the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 190, relative to the New Hampshire Business Development Corporation.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the New Hampshire Business Development Corporation.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1 Powers. Amend chapter 328, Laws of 1951, by inserting after section 6 the following new section: 6-a. Additional Powers. This corporation shall have and possess the following

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

SB 92, relating to retirement benefits for Hazel D. Lord, Marion N. Sargent, Eva Robitaille and Gladys D. Charter.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to retirement benefits for Hazel D. Lord, Marion N. Sargeant, Eva Robitaille and Gladys D. Charter.

On motion of Mr. Bell of Plymouth the House concurred in the Senate amendment.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 423, relative to discharge of firearms while hunting near dwellings and on or near public or private ways.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 436, authorizing cities and towns to construct moving sidewalks.

HB 343, relative to classification of a highway in the town of Goffstown and the city of Manchester.

HB 175, relative to entrance fees of credit unions.

HB 415, relative to fees for private boat registration.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 124, establishing a department of safety.
and the President has appointed as members of said Committee on the part of the Senate: Senator Battles and Senator Green.

A further Senate message announced that the Senate has voted to adopt the report offered by the Committee of Conference to whom was referred:

HB 124, establishing a department of safety.

Resolutions

Mr. Blake of Madison offered the following resolutions:

Whereas, Guy Nickerson, Representative from Madison, is ill in the Mercy Hospital, Portsmouth, therefore be it

Resolved, that we, the members of the House of Representatives of the New Hampshire General Court, extend to our Fellow Member our sympathy in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Representative Nickerson.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Shepard of Londonderry and Mrs. Weeks of Greenland for the Rockingham Delegation offered the following resolutions:

Whereas, we have learned of the serious illness and confinement in the hospital of our fellow member, Douglass E. Hunter of Hampton, and

Whereas, we hope that Mr. Hunter will soon return to his duties as Representative from the town of Hampton, therefore be it

Resolved, that we, the members of this New Hampshire House of Representatives in General Court convened, do hereby extend our condolences to Mr. Hunter with a hope that his illness will not be of too great a length, and be it further

Resolved, that a copy of these resolutions be transmitted to him by the Clerk of the House.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00

o'clock this afternoon to be in order at the present time, and that when the House adjourns today it be to meet at 11:00 o'clock tomorrow morning.

Afternoon Session

On motion of Mrs. Gowing of Dublin the House adjourned at 11:48 o'clock.

FRIDAY, JUNE 2, 1961

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Reverend Byron E. Higgon from the United Church of Jaffrey, as follows:

We thank Thee, our Father in Heaven, for this sacred moment when our hearts may be united in prayer, and when forgetting all else save our need of Thy guidance and help, we may reach up to Thee as Thou art reaching down to us.

Let not the beauty of this day, or the glow of good health, or the present prosperity of our undertakings deceive us into a false reliance upon our own strength. Thou hast given us every good thing. Thou hast given us life itself with whatever talents we possess and the time and the opportunity to use them. May we use them wisely, lest they be curtailed or taken away.

God of our Fathers, give unto us, Thy servants, a true appreciation of our heritage, of great men and great deeds in the past, but let us not be intimidated by feelings of our own inadequacy for this troubled hour. Remind us that the God they worshiped and by whose help they laid the foundations of our State is still able to help us uphold what they bequeathed and to give it new meanings. Remind us that we are not called to fill the places of those who have gone, but to fill our own places, to do the work Thou hast laid before us, to do the right as Thou hast given us to see the right, always to do the very best we can, and to leave the rest to Thee.

We thank Thee, our Father, for the beauty with which Thou hast endowed this our Scenic State, for the return to life

of the forests, the hills and the mountains as they are clothed in the blooming garb of Spring. With so much of Thy beauty round about us surely we ought to know that Thou are near to each one of us and to us all.

Bless we beseech Thee the Governor of our State, the President of our Nation, our elected and appointed representatives here in our State Capitol and in our National Capitol and throughout the world. Being led by Thee may they all serve Thee with their lips and with their lives, doing that which is well pleasing in Thy sight. Amen.

Pledge of Allegiance to the Flag

Mr. Desmarais of Jaffrey led the Convention in the Pledge of Allegiance to the Flag.

House

Leaves of Absence

Mrs. Greene of Rye and Messrs. Nickerson of East Kingston, Normandin of Laconia, Green of Rollinsford, Downing of Newport, and Keefe of Portsmouth were granted a leave of absence for the day on account of important business.

Messrs. Szelog and Plante of Manchester were granted a leave of absence for the day on account of illness.

First and Second Reading of House Bills

HB 479, relative to live entertainment in places where liquor or beverages are sold (Pickett of Keene) to Liquor Laws.

HB 480, relating to the election of representatives to the general court (DeLude of Unity) to Judiciary.

HJR 39, providing for a study of railroad problems in New Hampshire (King of Manchester) to Transportation.

HJR 40, providing for a manual on powers and duties of county conventions (O'Shan of Laconia) to Executive Departments & Administration.

Committee Reports

Mr. Goode of Manchester for the Committee on Appropriations, HJR 2, relating to office space for the bank commissioner. Ought to pass.

Mr. Geisel of Manchester moved that HJR 2 be recommitted to the committee on Appropriations and spoke in favor of the motion.

At the request of Mr. Pillsbury of Manchester Mr. Clement of Rochester explained the resolution.

Mrs. Palmer of Plaistow and Mr. Goode of Manchester spoke in favor of the motion.

Mr. Geisel of Manchester spoke a second time in favor of the motion.

On a *viva voce* vote the motion was adopted and HJR 2 was recommitted to the committee on Appropriations.

Mr. Goode of Manchester for the Committee on Appropriations, SB 49, establishing a department of health and welfare and providing for the merger therein of certain departments and agencies within the state government. Ought to pass with amendment.

Amend 126-A-8 as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

126-A:8 Advisory Commission; Establishment. There shall be an advisory commission on health and welfare consisting of eleven members appointed by the governor and council for a term of five years and until their successors shall be appointed and qualified. The advisory commission shall be comprised of one physician specializing in psychiatry, one pediatrician, and one general practitioner or internist, each of the foregoing to be first nominated for appointment by the New Hampshire State Medical Society, one psychologist to be nominated for appointment by the New Hampshire Psychological Association, one social worker to be nominated for appointment by the New Hampshire chapter of the National Association of Social Workers, one dentist to be nominated by the New Hampshire Dental Association and five members-at-large who are not members of the medical profession who shall include representatives of nongovernment organizations or groups concerned with the operation, construction, or utilization of hospitals, including representatives of the consumers of hospital services, to be nominated and appointed by the governor and council, having due regard for their individual background and interest in the field of health and/or/welfare. The commissioner

of health and welfare will be an additional member of the advisory commission when the commission is performing the duties now set forth in RSA 151:11 and RSA 152:5. Nominations to the governor and council shall be promptly submitted both with respect to initial and successor appointments as well as the filling of vacancies, to the end that there shall be the least possible period of less than full membership of the advisory commission. Whenever nominations to the governor and council from any sources are delayed for longer than a period of thirty days after receipt of notice from the secretary of state that the nomination is required, the governor and council are authorized to appoint without such nomination, but having due regard to the qualifications required of each appointee as set forth herein. Initial appointments by the governor and council shall be as follows: three members for one year, two members for two years, two members for three years, two members for four years, and two members for five years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The commission shall have a chairman, who shall be designated by the governor from among its membership. The term of the chairman shall be for one year. He may be reappointed as chairman but for not more than three consecutive years, and thereafter shall be ineligible to be chairman. The commission shall meet not less frequently than quarterly and at such other times as it may be convened by the call of the chairman, the call of the commissioner, and on the petition of any three members it shall be the duty of the chairman to convene the commission forthwith. Members of the commission shall receive no per diem but shall be entitled to expenses including mileage when in the performance of duties required by this act.

Amend RSA 126-A:30 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

126-A:30 Laconia State School; Superintendent. Upon nomination of the commissioner of health and welfare, with the approval of the advisory commission, the governor and council shall appoint a superintendent of the Laconia state school who, subject to the control of the director of the division of mental health, shall have charge of the lands, buildings, furniture, tools, implements, stock provisions, and other property of the institution. He shall keep, in suitable books, regular

and complete accounts of all his receipts and expenditures, and of the debts, credits, contracts, and property of the institution, showing its income and expenses, and shall account to the director of the division of mental health annually, and at such other times as he may require, for all money received and paid out by him. Such accounts shall be specific, containing the dates and amounts of all receipts, and the date, quantity and price of every article purchased or procured. There is specifically excepted from the foregoing such accounts and accountability as is required otherwise by the department of administration and control. The superintendent shall be a constant resident at the institution, and he and subordinate officers of the school, under his direction, shall have custody and charge of the scholars therein, shall discipline, govern, instruct and employ them, and shall use their best endeavors to preserve their health, promote their improvement in such studies, trades, and employments as may be suited to their ages and capacities, and to secure the formation of moral, religious and industrious habits. The superintendent of the Laconia state school in office on the effective date of this chapter shall continue in office, subject to all the provisions of this chapter as though initially appointed pursuant to this section.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5 Salaries. Amend RSA 94:1 (supp) as amended by striking out the following lines "Commissioner of public welfare, minimum \$10,634, maximum \$12,220" and "State health officer, minimum \$11,232, maximum \$12,896" and inserting in the proper alphabetical place the following salaries:

	Minimum	Maximum
Commissioner of health and welfare	\$15,000	\$16,875
Director, division of public health services	14,200	14,800
Director, division of welfare	11,478	13,064
Director, division of mental health	14,500	15,875

Amend section 7 of the bill by inserting after the figure "126-A:10" in the third line the words, Seventy-five thousand dollars of said sum shall be used for community mental health services only and no part of the same shall be transferred to any other appropriation; further amend by inserting after the word "from" in the fifth line the words, the balance of,

so that said section as amended shall read as follows: 7 Appropriation. The sum of one hundred thousand dollars is hereby appropriated to the department of health and welfare, division of mental health, for the implementation of the provisions of RSA 126-A:10. Seventy-five thousand dollars of said sum shall be used for community mental health services only and no part of the same shall be transferred to any other appropriation. Upon the request of the commissioner, after consultation with the advisory commission and with the approval of the governor and council, transfers from the balance of this appropriation may be made to any appropriation within the department. This appropriation shall not lapse on June 30, 1962 but shall continue to be available for expenditures in the succeeding fiscal year. It shall be a charge upon any funds of the state not otherwise appropriated.

Amend section 9 of said bill by adding at the end thereof the following words, The authority of the governor and council, to approve intra-departmental organization as set forth in paragraph II of RSA 126-A:2 as hereinbefore inserted, and approve the filling of vacancies in the classified service after July 1, 1961 as set forth in paragraph IV of RSA 126-A:2 as hereinbefore inserted, shall terminate as of June 30, 1963, so that said section as amended shall read as follows:

9 Authority of Governor and Council. Provided that if further regulation and designations are required by the federal government in connection with eligibility of the Department of Health and Welfare to receive and use federal funds heretofore available to the existing agencies hereby merged or funds to be available to the new department, the governor and council are hereby authorized to adopt such regulations and to make such designations as may be required to effectively accomplish the purpose hereof. The authority of the governor and council, to approve intra-departmental organization as set forth in paragraph II of RSA 126-A:2 as hereinbefore inserted, and approve the filling of vacancies in the classified service after July 1, 1961 as set forth in paragraph IV of RSA 126-A:2 as hereinbefore inserted, shall terminate as of June 30, 1963.

At the request of Mr. King of Manchester Mr. Clement of Rochester explained the amendments.

(discussion ensued)

Mr. Clement yielded the floor to Mr. Bowles of Portsmouth to answer a question.

At the request of Miss Faulkner of Keene, Mr. Goode of Manchester explained the amendments.

On a *viva voce* vote the committee amendments were adopted.

Mr. Gibson of Concord offered the following amendments and spoke in favor.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act establishing a department of mental health and providing for the merger therein of certain departments and agencies within the state government.

Amend the bill by striking out sections 1 through 9 inclusive and inserting in place thereof the following:

1 Department of Mental Health. Amend RSA by inserting after chapter 126 the following new chapter:

Chapter 126-A

Department of Mental Health

126-A:1 Declaration of Purpose. The purpose of this act is to establish an integrated administration of agencies of the state government having function and duties relating to mental health, making possible increased efficiency and economy through the merger of various existing departments and agencies of the state government.

126-A:2 General Provisions. I. The advisory commission created by this act shall meet not less than once within each quarter of each calendar year. Failure of a member to attend two consecutive such quarterly meetings shall be deemed a resignation from membership and the position vacant by operation of law.

II. Upon the recommendation of the commissioner of mental health, after consultation with the advisory commission, the governor and council are authorized to approve such intra-departmental organization as the governor and council find from time to time may improve or make more economical the administration of the department; provided, however, that no

such change shall eliminate any then existing position within the classified service unless such position shall then be vacant or, if filled, its incumbent has been transferred to an equivalent or higher paid position of like tenure.

III. With the approval of the governor and council and of the personnel commission, the commissioner of mental health is authorized to transfer classified personnel, appropriations or portions thereof relating thereto, as well as necessary equipment, within the department; provided, however, that no such transfer shall eliminate the classified position transferred.

126-A:3 Department Established. There shall be a department of mental health under the executive direction of a commissioner of mental health to which shall be transferred to the extent and in the manner specified by the provisions of this act the New Hampshire state hospital, the Laconia state school, the children's study home and the New Hampshire child guidance and mental hygiene clinics.

126-A:4 Commissioner of Mental Health. Administrative and executive direction of the department of mental health shall be under the direction of a commissioner of mental health who shall be a physician-psychiatrist eligible for licensure as an M.D. in New Hampshire certified or eligible for certification by the American Board of Neurology and Psychiatry and who shall be appointed by the governor and council upon nomination by the advisory commission established by this chapter. He shall hold office for a term of five years from the date of his appointment and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department of mental health. Said authority shall include the power to establish departmental policy as well as to control the actual operations of the department.

126-A:5 Acting Commissioner; Appointment. The commissioner of mental health shall appoint one member of his staff who shall act in his stead when said commissioner is absent from the state and at such other times as he is so directed by the commissioner. When acting for the commissioner said person shall have all the powers, duties and authority of the commissioner.

126-A:6 Salary. The annual salary of the commissioner of mental health shall be as hereinafter provided. In addition to

his salary the commissioner of mental health shall receive full maintenance.

126-A:7 Advisory Commission; Establishment. There shall be an advisory commission on mental health consisting of nine members appointed by the governor and council for a term of five years and until their successors shall be appointed and qualified. The advisory commission shall be comprised of one physician specializing in psychiatry, one pediatrician, and one general practitioner or internist, each of the foregoing to be first nominated for appointment by the New Hampshire State Medical Society, one psychologist to be nominated for appointment by the New Hampshire Psychological Association, one social worker to be nominated for appointment by the New Hampshire chapter of the National Association of Social Workers, and four members-at-large to be nominated and appointed by the governor and council, having due regard for their individual background and interest in the field of mental health. Nominations to the governor and council shall be promptly submitted both with respect to initial and successor appointments as well as the filling of vacancies, to the end that there shall be the least possible period of less than full membership of the advisory commission. Whenever nominations to the governor and council from any sources are delayed for longer than thirty days after receipt of notice from the secretary of state that the nomination is required, the governor and council are authorized to appoint without such nomination, but having due regard to the qualifications required of each appointee as set forth herein. Initial appointments by the governor and council shall be as follows: one member for one year, two members for two years, two members for three years, two members for four years and two members for five years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The commission shall have a chairman, who shall be elected by the members of the commission from among its membership. The term of the chairman shall be for one year. He may be reelected as chairman but for not more than three consecutive years, and thereafter shall be ineligible to be chairman. The commission shall meet not less frequently than quarterly and at such other times as it may be convened by the call of the chairman, the call of the commissioner, and on the petition of any three members it shall be the duty of the chairman to convene the commission forthwith. Members of the commission

shall receive no per diem but shall be entitled to expenses including mileage when in the performance of duties required by this act.

126-A:8 Advisory Commission; Duties. The advisory commission shall nominate for appointment by the governor and council, the commissioner of mental health. It shall serve in an advisory capacity to the commissioner and to the department of mental health. It shall make a continuing study of the problems of mental health in the state of New Hampshire, survey and examine the operations of the commissioner in meeting these problems and from time to time make recommendations to the commissioner regarding the activities and operations of the department. It shall submit to the governor and council in each October an annual report of the activities of the department, which report shall be a public document. From within its membership the commission shall establish boards of visitation of not less than three members each, for the Laconia state school, the New Hampshire state hospital and such other mental health facilities within the department as it may deem advisable. It shall be the duty of the members comprising each board of visitation to make inspection of their respective institutions, without previous notice, not less frequently than once each four months, and as often as each board may desire. Such inspections shall have particular regard for the care and treatment of patients therein. Findings and recommendations of each board of visitation shall be submitted to the full advisory commission as occasion may require, and where made shall be incorporated in the annual report of the advisory commission to the governor and council.

126-A:9 Additional Departmental Duties; Discretionary Assignment of Coordinator. The commissioner of mental health is authorized to establish within the department of mental health such administrative assignment of duties and responsibilities with respect to institutional services, educational and research services and community mental health services as he shall from time to time deem necessary and desirable, after first consulting with and receiving the advice of the advisory commission. In the discretion of the commissioner, and with the approval of the advisory commission and of the governor and council, the commissioner is authorized to establish within the department of mental health an unclassified staff position of

coordinator of community mental health services, research and education. In such event, the tenure of the coordinator shall be at the pleasure of the commissioner. The salary of the coordinator shall not exceed ten thousand dollars per annum, payment of which shall be from funds appropriated to the department not otherwise specifically appropriated.

126-A:10 Agency Regulations; Approval of Commissioner. After the effective date of this act, rules and regulations of all agencies of state government merged within or transferred to the department of mental health shall require the approval of the commissioner unless otherwise specifically provided therein, provided, however, that existing rules and regulations shall remain in full force and effect until and unless amended or otherwise affected by action of the commissioner pursuant to this section.

126-A:11 New Hampshire State Hospital; Transfer of. All of the powers, duties, functions, personnel, records and property of the New Hampshire state hospital as a corporation established pursuant to RSA 135 are hereby as a corporation transferred to and vested in the department of mental health. Trust funds transferred hereby shall be managed, expended and invested by the commissioner of the department of mental health with the approval of the advisory commission and advice of the state treasurer.

126-A:12 New Hampshire State Hospital; Trustees Abolished; Transfer of Powers; Tenure. The board of trustees of the New Hampshire state hospital established by RSA 10:2 is hereby abolished. The tenure of the members of the board shall terminate upon the appointment and qualification of the commissioner of the department of mental health. All of the powers, duties, records, property and functions of the board of trustees are hereby transferred to and vested in the commissioner of the department of mental health. Whenever reference is made to the board of trustees of the New Hampshire state hospital in any provision of the statutes, it shall henceforth be construed to mean the commissioner of the department of mental health.

126 A:13 New Hampshire State Hospital Superintendent, Appointment and Tenure of. With the approval of the advisory commission the commissioner of mental health shall nominate for appointment by the governor and council, a

superintendent of the New Hampshire state hospital. The superintendent shall be the executive head of the state hospital. The superintendent in office on the effective date of this act shall continue to hold office subject to the provisions hereof as though he had been initially appointed pursuant to the provisions of this section.

126-A:14 Commission of Mental Health Abolished. The commission of mental health established by RSA 135:35 is hereby abolished. The functions, powers and duties heretofore performed pursuant to RSA 135:36, 37 and 38, and laws of 1947, c. 279, shall henceforth be performed by the commissioner of mental health in consultation with the advisory commission established by section 8 of this act. All of the books, records and other property of the commission of mental health are hereby transferred to the commissioner of mental health. The director of the child guidance clinic in office on the effective date of this act shall continue in office, subject to the provisions of this chapter, as though initially appointed pursuant to the provisions hereof.

126-A:15 Laconia State School Trustees Abolished; Tenure. The board of trustees of the Laconia state school established by RSA 10:2 (supp) as amended by 1957, 146:3, is hereby abolished. The tenure of the members of the board shall terminate upon the appointment and qualification of the commissioner of mental health. Wherever the word "trustees" appears in RSA 171, as inserted by 1955, 314, it shall henceforth be construed to mean the commissioner of mental health.

126-A:16 Laconia State School; Superintendent. Upon nomination of the commissioner of mental health with the approval of the advisory commission, the governor and council shall appoint a superintendent of the Laconia state school, who subject to the control of the commissioner shall have charge of the lands, buildings, furniture, tools, implements, stock provisions and other property of the institution. He shall keep, in suitable books, regular and complete accounts of all his receipts and expenditures, and of the debts, credits, contracts and property of the institution, showing its income and expenses, and shall account to the commissioner annually, and at such other times as he may require, for all money received and paid out by him. Such accounts shall be specific, containing the dates and amounts of all receipts, and the date, quantity and price of

every article purchased or procured. There is specifically excepted from the foregoing such accounts and accountability as is required otherwise by the department of administration and control. The superintendent shall be a constant resident at the institution, and he and subordinate officers of the school, under his direction, shall have the custody and charge of the scholars therein, shall discipline, govern, instruct and employ them, and shall use their best endeavors to preserve their health, promote their improvement in such studies, trades, and employments as may be suited to their ages and capacities, and to secure the formation of moral, religious and industrious habits. The superintendent of the Laconia state school in office on the effective date of this chapter shall continue in office, subject to all the provisions of this chapter as though initially appointed pursuant to this section.

126-A:17 Laconia State School; Transfer of. The Laconia State school established pursuant to RSA 171 (supp) as amended, with all of the powers, duties, functions, personnel, property and records of the board of trustees thereof, established by RSA 10:2 (supp) as amended by 1957, 146:3, is hereby transferred to and vested in the department of mental health.

2. Children's Study Home, Administration of Transferred. Amend RSA 134:1 by striking out said section and inserting in its place the following new section: 134:1 The provisions of this chapter shall be administered by the commissioner of mental health in consultation with the advisory commission. Whenever the word commission appears herein it shall be construed to mean the commissioner of mental health.

3. Transfer of Funds. Any funds provided in the appropriation acts for the year ending June 30, 1962 and the year ending June 30, 1963, relating to services and facilities transferred to the department of mental health are hereby deemed to be appropriated for the same purposes in the new department of mental health established herein. Provided, however, that specific sums appropriated for unclassified personnel, where the positions have been changed as to title and duties by this act or transferred by this act, shall be deemed to be appropriated for unclassified positions in the new department hereby created, as the governor and council shall approve.

4. Appropriation. In addition to other funds made available to the department of mental health there is hereby

appropriated the sum of sixteen thousand eight hundred seventy-five dollars, or so much thereof as may be necessary, for the fiscal year ending June 30, 1962, and a like sum for the fiscal year ending June 30, 1963. Said sums shall be available for the salary of the commissioner of mental health. Said appropriation shall be a charge upon funds in the treasury not otherwise appropriated.

5. Salary. Amend RSA 94:1 (supp) as amended by 1955, 153:2; 321:1; 323:4, 6; 335:8; 1957, 90:1, 223:2, 274:4, 7; 315:2; 1959, 199:4; 268:12 by inserting in the proper alphabetical place the following salary:

	Minimum	Maximum
Commissioner of mental health	\$15,000	\$16,875

6. Repeal.

I. RSA 133:1, 2 & 3, relative to the council of mental health are hereby repealed.

II. RSA 17:3 (supp) relative to superintendent of the Laconia state school is hereby repealed.

III. RSA 10-A (supp) as inserted by 1957, 164, relating to the board of institutions, corrections and hospitals is hereby repealed.

IV. RSA 10:2a and 2-b, as inserted by 1957, 146, relating to trustees of the Laconia state school are hereby repealed.

7. Appropriation. The sum of one hundred thousand dollars is hereby appropriated to the department of mental health for implementation of the provisions of RSA 126-A:9. Upon the request of the commissioner after consultation with the advisory commission and with the approval of the governor and council, transfer from this appropriation may be made to any appropriation within the department. This appropriation shall not lapse on June 30, 1962 but shall continue to be available for expenditures in the succeeding fiscal year. It shall be a charge upon any funds of the state not otherwise appropriated.

8. Definitions. Amend a paragraph III of RSA 172:1 by striking out said paragraph and inserting in place thereof the following: III. 'Commission' means the department of mental health.

9. Authority of Governor and Council. Provided that if further regulations and designations are required by the federal government in connection with eligibility of the Department of Mental Health to receive and use federal funds heretofore available to the existing agencies hereby merged or funds to be available to the new department, the Governor and Council are hereby authorized to adopt such regulations as may be required to effectively accomplish the purpose hereof.

(discussion ensued)

Miss Faulkner of Keene spoke in favor of the amendments.

Mr. Peterson of Peterborough spoke against the amendments.

(discussion ensued)

Mr. Deming of Danville spoke against the amendments.

Mrs. Brown of Sandwich spoke against the amendments.

Mr. Pickett of Keene spoke in favor of the amendments.

(discussion ensued)

Mr. MacIsaac of Laconia spoke against the amendments.

Mr. York of Concord spoke in favor of the amendments.

Mr. O'York of Dover moved that SB 49 be indefinitely postponed and spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

Mr. O'York of Dover demanded the Yeas and Nays and the roll was called as follows:

YEAS 10

STRAFFORD COUNTY: Grimes, O'York.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

MERRIMACK COUNTY: McKay.

HILLSBOROUGH COUNTY: Ecker, Chapdelaine, Lesmerises, Dionne of Nashua, ward 2, Grandmaison.

CHESHIRE COUNTY: None.

SULLIVAN COUNTY: Vaughan.

GRAFTON COUNTY: None.

COOS COUNTY: Desilets.

ROCKINGHAM COUNTY: None.

NAYS 334

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Stonemetz, Colbath, Richardson, Flanagan, Bevan, Heald, Littlehale, Drew, Gilman of Farmington, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Watson of Rochester, Potvin, St. Pierre, Johnson of Rochester, Clement, Varney, Maloomian, Habel, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Matheson, Lord, Robertson, Lacaille, McCarthy, Harkins, Ayre, Prescott, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Brown of Sandwich, Nickerson of Tamworth, Kurth, Fox, Chamberlain, Claflin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Hanson, Moore, Hutchinson, Allen of Concord, York, Davis of Concord, Henry, Audet, Gibson, Hancock, Seamans, Lovejoy, Quinn, Sanders, Barnard, Gove, Maxham, Newell of Concord, Welch, Jennings of Concord, Brown of Danbury, Stevens, Gilman of Franklin, Charland, Dempsey, Carpenter, Broek, Brown of Loudon, London, Thompson of Northfield, Thi-beault, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin of Bedford, Aucella, Farwell, Bartlett, Jennings, of Goffstown, Nickerson of Goffstown, Taft, Pickering, Eaton, Brocklebank, Claveau, Gallagher, Provencal, Warren, Ainley, Lang, Pettigrew, Soucy, Geisel, Goode, Mahony, Pillsbury, Bruton, Hart, Hayes, Burke, Cullity, Nolan, Manning, Walsh, Casey, Clancy, Dupont, Healy of Manchester, ward 6, O'Conner, LaFrance, LeClerc, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, ward 8, Cary, Morris, Belanger, Bergeron, Kearns, King, Hurley, Noel, Lemay, Levasseur, Nalette, Allard, Daniel

of Manchester, Rousseau, Crowley, Gamache, Vachon, Deans, Falconer, Buckley, Cole, Cooper, Milliken, Underhill, Belcourt, Kirkorian, Brosnahan, Sullivan, Marcoux, Chartrain, Mason, Bissonnette, Bouley, LaVallee, Sablusi, Bouthillier, Locke, Karnis, Peabody, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, Gowing, Watkinson, Turner, Clark of Harrisville, Stearns, Cournoyer, Desmarais, Keating, Terrill, Parker, Bennett, Brown of Keene, Faulkner, Miskelly, Kretowicz, Oliver, Allen of Rindge, Crain, Hackler, Congdon, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Cann, Gaffney, Prudhomme, Angus, Campbell, Barrows, D'Amante, Desnoyer, Guest, Weber, Williamson, Spalding, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Willey, Chandler of Canaan, Morse, Johnson of Franconia, Gage, Bowler, Hayward of Hanover, Low, Neale, LaMott, Larty, Karsten, Adams of Lebanon, Beard, Coutermarsh, Demers, Porter, Whipple, McGee, Collyer, Burrill, Martin, Haskins, Cushman, Kinghorn, Bell, Loizeaux, Barney, Bradley, Anderson, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Ledoux, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Bushey, Potter of Northumberland, Converse, Brooks, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: Griffin, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Gay, Kimball of Derry, Scott of Derry, White of Derry, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Weeks, Spollett of Hampstead, Casassa, Clark of Kingston, Shepard, Jenkins, Hislop, Sewall, Twardus, Cheney, Carter, Pinkham, McDaniel, Palmer, Driscoll, Bowles, Murch, Stafford, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, ward 4, Ingraham, White of Portsmouth, ward 5, Carlin, Cross, Langford, Magoon, Roulston, Felch, Barker, Waterhouse.

And the motion to indefinitely postpone was lost.

The question now being on the Gibson amendments.

On a *viva voce* vote the amendments were not adopted.

Mr. Craig of Manchester requested a division.

146 members having voted in the affirmative and 179 in the negative the amendments were not adopted.

Mr. Dupont of Manchester demanded the Yeas and Nays but subsequently withdrew his request.

The question now being, shall the bill be read a third time.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Gibson of Concord SB 49 was placed on third reading and final passage at the present time by title only.

Third Reading

SB 49, establishing a department of health and welfare and providing for the merger therein of certain departments and agencies within the state government, was read a third time, passed, and sent to the Senate for concurrence in the House amendments.

Reconsideration

Mr. Goode of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it passed SB 49 and spoke against the motion.

On a *viva voce* vote the motion was lost.

Recess

After Recess

Report of Committee on Engrossed Bills

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolution:

HB 175, relative to entrance fees of credit unions.

HB 190, relative to the New Hampshire Development Corporation.

HB 328, relative to salaries of Hillsborough County Commissioners.

HB 343, relative to classification of a highway in the town of Goffstown and the city of Manchester.

HJR 26, in favor of Priscilla Morneau.

SB 92, relating to retirement benefits for Hazel D. Lord, Marion N. Sargeant, Eva Robitaille and Gladys D. Charter.

SB 118, to establish a new apportionment for the assessment of public taxes.

SB 125, legalizing the organization meeting and first annual meeting of the Monadnock Regional School District.

Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 49, establishing a department of health and welfare and providing for the merger therein of certain departments and agencies within the state government.

A further Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 139, increasing the salary of the Belknap county attorney.

A Senate Bill Read and Referred

SB 139, to Belknap County Delegation.

Senate Messages (cont)

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 172, relating to insurance of duplicate fish and game licenses.

Amend the bill by striking out section 2 of said bill and renumbering section 3 to read section 2.

On motion of Mr. Spalding of Plainfield the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 50, relative to special fish and game licenses for non-resident members of the armed forces of the United States.

Amend the bill by striking out all after the enacting clause and substituting in place thereof the following:

1 214:4 Military Personnel. Military personnel and their dependents permanently stationed at military bases within the state are eligible to purchase hunting and fishing licenses at the same fee as is charged a legal resident of the state. These licenses are to be issued only at military installations within the state or from the fish and game department headquarters.

2 Takes effect. This act shall take effect 60 days after its passage.

On motion of Mr. Spalding of Plainfield the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 457, legalizing the proceedings of the annual school district meeting held in the town of Auburn on March 10, 1961.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled joint resolution:

HJR 13, authorizing a study of the operation of the milk control act.

The Committee of Conference, to whom was referred House Joint Resolution No. 13, Joint Resolution authorizing a study of the operation of the milk control act, having considered the same, report the same with the following recom-

mendation: That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendment, and that the following amendment be adopted:

Amend the Joint Resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of Three thousand, one hundred seventy-eight dollars and seventy-eight cents is hereby appropriated for the purpose of a study by the Department of Agricultural Economics, College of Agriculture, University of New Hampshire, of the history, administration and operation of RSA 183 relating to milk control. Report of the results of this investigation shall be filed with the agricultural committees of the house and senate with a copy to the governor not later than June 1, 1961. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Philip S. Dunlap
John E. Buntin
Conferees on the part of the Senate

William T. Robertson
E. A. Adams
John P. Dempsey
Conferees on the part of the House

Committee Reports (Cont.)

Mr. Taft of Greenville for the Committee on Appropriations, HB 40, making appropriation for emergency search and rescue operations. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Goode of Manchester for the Committee on Appropriations, HB 206, relating to the construction of state armories. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. King of Manchester for the Committee on Appropriations, HJR 3, providing funds for state nursing scholarship program. Ought to pass with amendment.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

The sum of twenty-five thousand dollars is hereby appropriated for the year ending June 30, 1962, and a like sum for the year ending June 30, 1963, for the purpose of providing funds to carry out the provisions of RSA 326:30, 31 and 32. The sums hereby appropriated shall be available as of July 1, 1961, and the governor is authorized to draw his warrants for the said sums out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

At the request of Mr. Collishaw of Exeter, Mr. King of Manchester explained the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. King of Manchester offered the following amendment:

Lines 8-9-10-11 delete beginning with words "in addition" in line 8 and ending with the words "1963" in line 11, and substitute "to provide for the cost of administering the total program, a sum be deducted each year from the total amount appropriated for the state nursing scholarship program, this sum not to exceed \$500.00.

To read:

To provide for the cost of administering the total program a sum be deducted each year from the total amount appropriated for state nursing scholarship program, this sum not to exceed \$500.00. Said sums to be expended by the state board of nursing education and nurse registration to defray the expense of administration of the program for state aid for nursing education.

The Clerk read the amendment in full.

Mr. King of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the House Joint Resolution was ordered to a third reading.

Mr. Karkavelas of Dover for the Committee on Appropriations, HB 73, relative to mileage allowance for members of the general court. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Goode of Manchester for the Committee on Appropriations, HB 294, increasing mileage allowances for state employees. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Vaughan of Newport for the Committee on Appropriations, HB 76, providing for transportation aid to school districts. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Dumont of Berlin for the Committee on Appropriations, HB 136, relative to mileage rate for state employees using private cars. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Roberts of Conway for the Committee on Appropriations, HB 157, relative to retired members of the policemen's retirement system. Ought to pass with amendment.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Additional Allowances for Certain Retired Permanent Policemen. Any retired permanent policeman whose retirement benefit under the provisions of RSA 103 is less than one hundred dollars per month and who retired prior to May 1, 1961, shall, beginning with the month of January 1962, and monthly thereafter, but not beyond the month of December 1962, receive an additional monthly retirement allowance equal to twice the amount by which his regular monthly retirement benefit is less than one hundred dollars.

2. Appropriation. In addition to any other sums appropriated for the policeman's retirement system there is hereby appropriated the sum of ten thousand dollars for the purpose of providing funds for the payment of the additional monthly retirement allowances provided for by section 1. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

3 Takes Effect. This act shall take effect January 1, 1962.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Goode of Manchester for the Committee on Appropriations, HB 385, authorizing the superintendent of state police to establish a police training school. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Karkavelas of Dover for the Committee on Appropriations, HB 418, relative to legislative mileage. Ought to pass with amendment.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Mileage Rate Increased. Amend RSA 14:15 (supp) as amended by 1957, 272:1 by striking out said section and inserting in place thereof the following: 14:15 Travel Allowance to Members. A member of the general court shall be allowed for mileage per mile of the round trip to and from his town or city ward each day of attendance at the following rates, for the first forty-five miles thereof twenty-five cents per mile, and for all miles in excess of forty-five miles eight cents per mile, provided, however, that mileage shall be computed on a minimum basis of twenty miles per round trip. Each member of the house of representatives shall present evidence of his attendance by signing in person the roll provided for that purpose and by complying with such other regulations with respect thereto as the house may from time to time adopt. Any member of the general court absent for any cause from such attendance shall not be allowed mileage for the day he is so absent.

Amend section 3 of the bill by striking out the figure "1" and inserting in place thereof the figure, 4, so that said section as amended shall read as follows:

3 Takes Effect. This act shall take effect as of January 4, 1961.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted.

Mr. Williamson of Goshen offered the following amendment:

Amend section 3 of the bill by striking out the words and figures "January 4, 1961," and inserting in place thereof, the word and figures, January 1, 1963, so that said section as amended shall read as follows:

3 Takes Effect. This act shall take effect January 1, 1963.

The Clerk read the amendment in full.

Mr. Williamson spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

On a *viva voce* vote the bill was ordered to a third reading.

Miss Loizeaux of Plymouth for the Committee on Appropriations, a Concurrent resolution in favor of Edward H. Geddes and The Profile in Franconia Notch. Ought to pass with amendment.

Amend the first paragraph of the Concurrent Resolution by striking out said paragraph and inserting in place thereof the following:

Therefore, Be It Resolved, that the General Court of New Hampshire does gratefully acknowledge, on behalf of the residents of this State and the untold millions who have been attracted to this natural phenomena, a debt of gratitude to Edward E. Geddes and the Reverend Guy Roberts, and approves arrangements to have this acknowledgment made known by a suitable plaque to be installed in an appropriate place in Franconia Notch, and

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted.

On a *viva voce* vote the concurrent resolution was adopted.

Mr. Shepard of Londonderry for the Committee on Finance, HB 159, to rehabilitate the Sunapee state park sinking fund. Ought to pass with amendment.

Amend section 1 of the bill by striking out the figures \$79,270.65 in the second line and inserting in place thereof the figures, \$79,270.56, so that said section as amended shall read as follows:

1 Transfer of Funds. There is hereby appropriated the sum of \$79,270.56 to rehabilitate the Sunapee State Park sinking fund. The state treasurer is hereby authorized to transfer from the general funds to said sinking fund the amount hereby appropriated.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised for today in the Journal.

Mr. King of Manchester for the Committee on Appropriations, HB 170, establishing the office of judicial referee. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bowles of Portsmouth offered the following resolutions:

Whereas, there is pending before the House of Representatives House Bill No. 108, An Act relative to the Town of Hampton Municipal Development Authority, in which amendments are proposed to chapter 412 of the Laws of 1959 entitled An Act to create the Town of Hampton Marsh Reclamation Authority, and

Whereas, said act would provide for the possible expenditure by the town of Hampton of public funds and the possible use of the credit of said town and of the state of New Hampshire to assist the Town of Hampton Marsh Reclamation Authority in the accomplishment of the purposes set forth in the act, and

Whereas, under Article 12 of Part First, Article 4 of Part Second and other provisions of the Constitution of New Hampshire and under the Fourteenth Amendment to the Constitution of the United States, public money may not be used except for a public service or a public use, and

Whereas, questions have arisen as to the constitutionality of said act and the validity of expenditures authorized to be made thereunder, now therefore be it

Resolved, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Is it within the competency of the General Court under Article 12 of Part First and Article 4 of Part Second of the Constitution of New Hampshire and the Fourteenth Amendment to the Constitution of the United States to authorize public funds to be expended for the purposes set forth in said bill?

2. Will projects to develop or redevelop marsh land for residential, commercial, industrial, and business purposes proposed by said bill, be for public uses?

3. Is it constitutionally competent for the General Court to provide for the town of Hampton to make contracts providing financial assistance to the Town of Hampton Marsh Reclamation Authority and pledge its full faith and credit therefor, as proposed in paragraphs (j) through (m) of RSA 412:27, as inserted by section 21 of the bill?

4. Is it constitutionally competent for the General Court to authorize the State of New Hampshire to guarantee payment of the principal of and interest on indebtedness issued by the Town of Hampton Marsh Reclamation Authority as provided in section 28 of said chapter 412 as amended by said bill?

5. Is it constitutionally competent for the General Court to permit or require the reclaimed real property be first offered for sale to the owners from which real property was originally taken by the Town of Hampton Reclamation Authority as provided in section 5 (b) as amended by said bill?

Be it Further Resolved that the Speaker transmit seven copies of this resolution and of House Bill No. 108 to the Clerk of the Supreme Court for consideration by said court.

The Clerk read the resolutions in full.

Mr. Bowles of Portsmouth spoke in favor of the resolutions.

On a *viva voce* vote the resolutions were adopted.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 69, providing for the disposition of certain abandoned property.

SB 138, to provide for recording of instruments and acts in unincorporated places which have no clerk.

Senate Bills Read And Referred

SB 69, to Judiciary.

SB 138, to Judiciary.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 163, relative to free fish and game licenses for resident members of the armed forces.

On motion of Mr. Hancock of Concord the House adjourned from the morning session.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit the third reading of bills by title only and resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Reading

The following House bills and House Joint resolutions were read a third time, passed, and sent to the Senate for concurrence:

HB 206, relating to the construction of state armories.

HB 157, relative to retired members of the policemen's retirement system.

HB 418, relative to legislative mileage.

HB 385, authorizing the superintendent of state police to establish a police training school.

HB 159, to rehabilitate the Sunapee state park sinking fund.

HB 170, establishing the office of judicial referee.

HJR 3, providing funds for state nursing scholarship programs.

Committee Appointment

Mrs. Neale of Hanover appointed by the Speaker as a member of the Economic Growth Survey committee.

The Chair announced today is the 21st wedding anniversary of Representative and Mrs. Nickerson of Goffstown.

On motion of Miss Faulkner of Keene the House adjourned at 3:07 o'clock.

TUESDAY, JUNE 6, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Arlington E. Wry, from the Baptist Church in Pittsfield:

Almighty God, bless our State and Country with honorable industry, sound learning and pure manners. Defend our liberties; preserve our unity. Save us all from violence, discord and confusion, from pride and arrogance, and from every evil way. Endue with the spirit of wisdom those whom we entrust in thy name with authority; protect them from all dishonesty and civic corruption; from all cruelty and covetousness and from all intemperance which is the mother of many crimes and sorrows. Consecrate with thy presence the way our feet may go; that the humblest work may shine, and the roughest places be made plain. Lift us above unrighteous anger and mistrust into faith and hope and charity by a simple and steadfast reliance on thy sure will. Bless all who labor for the good of our State from the highest to the lowest position and strengthen them inwardly and outwardly to give a good account of their stewardship of life entrusted to them by thee. We ask all this in the name of the Father and the Son and the Holy Spirit. Amen.

Pledge of Allegiance to the Flag

Mrs. Tarrant of Pittsfield led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group of students from the Heart Parochial school of Greenville.

A group of students from the Greenville public school.

A group of Republican women from Hillsborough county.

Leaves of Absence

Mr. Crowley of Manchester was granted a leave of absence for today and tomorrow on account of a death in the family.

Mr. Ledoux of Carroll was granted a leave of absence for the week on account of important business.

Mrs. Neale of Hanover was granted a leave of absence for the week on account of illness.

Mr. Pillsbury of Manchester was granted a leave of absence for today and tomorrow on account of important business.

First and Second Reading of House Bills

HB 481, relative to hospital insurance and service contracts (Williamson of Goshen) to Insurance.

HB 482, to revise the charter of the City of Nashua (Pappagianis of Nashua) to the Nashua Delegation.

Committee Reports

Mr. Bigelow of Warner for the Committee on Banks, HB 225, relative to state guarantee of mortgages on industrial buildings. Ought to pass with amendment.

Amend paragraph I of RSA 162-A:14-a, as inserted by section 1 of the bill, by striking out said paragraph and inserting in place thereof the following:

I. The mortgage indebtedness shall not exceed the current appraised value of the secured realty, including land and buildings.

II. The guaranty at any given time shall be limited to the amount by which the mortgage indebtedness at said time exceeds fifty per cent of the appraised value of the secured realty as of the time said guaranty was made.

Amend paragraph IV of RSA 162-A:14-a, as inserted by section 1 of the bill, by striking said paragraph and inserting in place thereof the following:

IV. No mortgage which does not by its terms require full payment of both principal and interest within twenty years from date of execution of said mortgage shall be eligible for any state guaranty in whole or in part.

Further amend RSA 162-A:14-a, as inserted by section 1 of the bill, by renumbering paragraphs II, III, IV and V to read III, IV, V and VI.

Amend the bill by inserting after section 2 the following new sections:

3 Mortgage Loans on Leased Industrial Real Estate. Amend section 4 of RSA 387 (supp) as amended by 1955, 214:13 and 1959, 61:1 by inserting after paragraph II-a the following new paragraph:

II-b. Buildings on land leased from the state or any political subdivision shall be construed to be real estate for the purposes of paragraph I. Improvements, buildings and structures on land owned or leased by the state or any political subdivision thereof upon which the mortgagor holds a lease for an unexpired term of not less than twenty-one years duration, which term shall not include the term which may be provided by an option of renewal. No mortgage loan upon such lease shall be made or acquired by a savings bank unless the terms thereof shall provide for amortization payments to be made by the borrower on the principal thereof in amounts sufficient to completely amortize the loan within a period of sixty-six and two-thirds per cent of the unexpired term of the lease, which term shall not include the term which may be provided by an option of renewal.

4 Leasehold Estate. Amend section 7 of RSA 162-A (supp) as inserted by 1955, 254:7 by inserting after the word "owned" in the third line thereof the words, or leased, and by inserting after the word "title" in the eleventh line thereof the words, or leasehold estate, so that said section as amended shall read as follows: 7 Aid to Local Development Corporation. The authority may expend money upon such terms and conditions as prescribed by the authority to develop as an industrial park or area real property owned or leased by any local development corporation, association or foundation, regardless of the particular name or manner of organization, provided it shall have as its primary function the promotion, encouragement and development of industrial growth. There is included in the authority granted by this section the right to construct upon such property a suitable industrial building as determined by the authority; provided, however, that it shall not construct on any property the legal title or leasehold estate to which is not held by the authority more than one building or structure. Prior to the expenditure of any moneys for the development of such property or the construction of any building the authority shall receive from the local organization security for the repayment of such moneys as may be expended. The security shall be in such form and amount as determined by the authority and shall include in each instance the property upon which such development will be made.

Further amend the bill by renumbering section 3 to read section 5.

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Appropriations under the rules.

Mr. Bigelow of Warner for the Committee on Banks, HB 447, relative to use of funds by credit unions. Ought to pass with amendment.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Credit Unions. Amend RSA 394 by inserting after section 19 the following new section: 394:19-a Purchase of Real Estate. Any such credit union may purchase, build, improve, hold, dispose of, mortgage, rent, lease, or exchange any property, real or personal, as follows: (a) necessary or incidental to

its operation; (b) in which it occupies a portion of as office space; (c) is reasonably required for future expansion.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, HB 398, relative to health insurance for state employees. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, HB 452, relative to additional payments to state employees receiving workmen's compensation. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Morse of Enfield for the Committee on Executive Departments and Administration, HB 337, relative to the charter of the Orford fire engine company. Inexpedient to legislate.

Mr. Cushman of Orford moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

(discussion ensued)

Mr. Morse of Enfield spoke against the motion.

At the request of Mr. Deans of Milford, Mr. Hill of Littleton explained the bill.

On a *viva voce* vote the motion was adopted, and the bill was ordered to a third reading.

(Mr. Taft of Greenville in the Chair)

Mr. Aucella of Bennington for the Committee on Executive Departments and Administration, HB 442, relative to the licensing of real estate brokers and salesmen. Ought to pass with amendment.

Amend RSA 331-A:7 as amended by section 2 of the bill by striking out the words "the bank commissioner or any one of his deputies" in the twentieth and twenty-first lines and inserting in place thereof the words, a member of the public

utilities commission designated by its chairman, so that said section as amended shall read as follows:

331-A:7 Suspension or Revocation of License. Full power to revoke or suspend licenses granted under the provisions of this chapter shall be vested in the commissioner of insurance subject to right of review by a special review board upon seasonable request. The commissioner of insurance may, upon complaint or upon his own motion, after reasonable notice in writing of the charges and a hearing, revoke the license of any broker or salesman, or suspend such license for such period as may be just, upon finding that such license has been guilty of any unlawful, dishonest, deceitful or fraudulent conduct in connection with his business as such broker or salesman. The decision of the commissioner shall be rendered in writing and signed by him, and, when so signed, shall be filed in the office of the commissioner. Copies thereof shall be mailed to the licensee, addressed to his place of business, and to the complainant, if any, within two days after the filing thereof. The decision of the commissioner revoking or suspending a license shall not become final until ten days after the filing thereof, and if, during such ten-day period, the licensee shall petition in writing to the commissioner for a review thereof, his decision shall thereupon be automatically suspended pending final action on the case by a special review board. A special review board shall consist of the attorney general or his deputy or any one of his assistants, acting as chairman, a member of the public utilities commission designated by its chairman, two licensed brokers having at least ten years' experience in the real-estate business in this state, and a member of the public at large residing in this state, who shall be appointed by the attorney general. Such a board shall be organized and convened by the attorney general upon request of the commissioner of insurance whenever there is occasion therefor, and it shall be dissolved upon the decision of any case for which it shall have been convened. The two brokers and public member of any such board shall serve without compensation but shall be reimbursed for their necessary expenses of travel and subsistence. After hearing and for cause shown, such board, by majority vote, may revoke the license of any licensee hereunder or suspend the same for such period as it may deem just, upon the finding that such licensee has been guilty of any unlawful, dishonest, deceitful, or fraudulent conduct in connection with his business as such licensee,

or, in the alternative it may dismiss the original charges. Any such special review board shall give the licensee at least fourteen days' written notice, prior to the date of hearing, of the charges to be reviewed by it, and shall afford such licensee an opportunity to be heard in person or by counsel in reference thereto. The hearings on such charges shall be at such time and place as the board shall prescribe. The board shall have the power to subpoena and bring before it any person or any relevant records or documents in this state or to take testimony by deposition, in the same manner as is prescribed by law in judicial proceedings. Such special review board shall keep a complete stenographic record of its proceedings in such case. For this purpose the chairman thereof is authorized to employ a temporary reporter and fix his compensation, all expense of such proceedings shall be a charge upon the fund created by the payment of license fees under this chapter; and the governor is authorized to draw his warrant on the treasury for the payment of such expense out of such fund or out of any money in the treasury not otherwise appropriated. Sheriffs and witnesses shall receive the same fees for the service of process and attendance before the board as are paid sheriffs and witnesses in matters pending before the superior court. The determinations of the board shall be in writing and officially signed. The original of such determinations, when so signed, shall be filed in the office of the commissioner of insurance and copies thereof shall be mailed to the broker or salesman, addressed to his place of business, and to the complainant, if any, within two days after the filing thereof. The action of any such board in revoking or suspending a license shall be subject to appeal to the superior court at the instance of the licensee, within thirty days after the filing of the board's decision. An appeal shall suspend the board's decision. The appeal shall be tried in the superior court *de novo* without jury. The superior court may affirm, reverse, or modify the board's decision, as justice may require.

Mr. Peterson of Peterborough moved that the rules of the House be so far suspended as to dispense with reading of the amendment, and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Eastman of Weare for the Committee on Executive Departments and Administration, HB 449, relative to term of office of members of the state soil conservation committee. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, HJR 34, providing for a study into the feasibility of state participation in cost of group insurance for state employees. Ought to pass with amendment.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the legislative council is directed to study the feasibility of the state, as employer, paying all or part of the cost of a schedule of group insurance benefits for its employees and their dependents. The subjects of study shall include, but not be limited to, group hospitalization, group medical care including major medical coverages, group surgical care and group life insurance. The legislative council shall also study the feasibility of instituting group loss of time benefits in lieu of, or in coordination with, the present loss of time schedule. The legislative council shall make a report of its findings and recommendations to the 1963 legislature.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Gibson of Concord for the Committee on Finance, HB 229, for the acquisition of the Adams property in Durham for development of wildlife management area. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Perrault of Berlin for the Committee on Insurance, HB 249, relative to financing of insurance agents. Ought to pass with amendment.

Amend RSA 402:74 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

402:74 Interest Charges Prohibited. No insurance company or general agent doing business in this state shall directly

or indirectly charge or collect any interest greater than five per cent per annum on any financing debt incurred during training owed to it by any agent of such company.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Griffin of Auburn for the Committee on Judiciary, HB 384, establishing a board on academic degrees. Refer to the Interim Committee on Education.

On a *viva voce* vote the recommendation of the committee was adopted.

(Speaker in the Chair)

Mrs. Frizzell of Charlestown for the Committee on Judiciary, HB 466, relative to county conventions. Ought to pass.

At the request of Mr. Murch of Portsmouth, Mrs. Frizzell of Charlestown explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Healy of Manchester, Ward 6 for the Committee on Judiciary, Concurrent Resolution relating to Soviet aggression. Ought to pass with amendment.

Amend said Concurrent Resolution by striking out the same and inserting in place thereof the following:

Whereas, the Soviet Union has a prime objective the expansion of its domination of colonial areas, and

Whereas, the Soviet Union supresses human liberty in the captive nations far more ruthlessly than the old-time imperialists; now, therefore be it

Resolved, by the House of Representatives with the Senate concurring, That the General Court of the State of New Hampshire exhorts the Government of the United States to continue to use all the resources at its command to halt the further spread of Soviet colonialism, be it further

Resolved, That the Secretary of State transmit a copy of this Concurrent Resolution to each of the members of the New Hampshire delegation in Congress and to the President

of the Senate and to the Speaker of the House of Representatives of the Congress of the United States.

The Clerk read the amendment in full.

(Mr. Craig of Manchester in the Chair)

On a *viva voce* vote the amendment was adopted.

On a *viva voce* vote the concurrent resolution was adopted.

Mr. Stevenson of Bethlehem for the Committee on Labor, SB 130, relative to notice to department of employment security of licensed employment offices. Ought to pass.

Mr. Angus of Claremont explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Gallagher of Hudson for the Committee on Labor, SB 129, relative to the department of employment security. Ought to pass.

Mr. Angus of Claremont explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Shepard of Londonderry for the Committee on Finance, HJR 36, in favor of Fred Lahaye. Inexpedient to legislate.

Mr. Coutermarsh of Lebanon moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Bell of Plymouth and Mrs. Davis of Concord spoke against the motion.

(discussion ensued)

Messrs. Murch of Portsmouth, Bradley of Thornton and Deans of Milford spoke in favor of the motion.

Mr. Gamache of Manchester moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question now being on the motion to substitute.

On a *viva voce* vote the motion was adopted.

On a *viva voce* vote the House Joint Resolution was ordered to a third reading.

Mr. Claflin of Wolfeboro for the Committee on Transportation, HB 297, relative to school busses. Ought to pass with amendment.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Regulations. Amend RSA 263:26 by striking out said section and inserting in place thereof the following: 263:26 Stop Signals. The motor vehicle commissioner shall issue regulations requiring certain school buses to be equipped with four automatic flasher-type stop lights, two of which shall be located on the front and two of which shall be located in the rear. Said stop lights shall be of such types and designs as approved by said commissioner. No school bus shall be operated upon the highways of the state which does not carry the equipment which may be required by the motor vehicle commissioner under the provisions of this section. It shall be unlawful to operate any flashing warning signal light on any school bus except when any said school bus is stopped or slowing down to stop on a highway for the purpose of permitting school children to board or alight from said school bus. Said flashing warning signal lights shall be placed in operation one hundred feet in advance of any such stop.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Definitions. Amend RSA 263 by inserting after section 26 the following new section: 263:26-a School Bus. Every motor vehicle owned by a public or governmental agency, or privately owned vehicles while employed solely in transporting school children to and from school or school activities by virtue of a contract with a municipality, municipal board or school board authorities shall be classified as a school bus. A large school bus is one in excess of eighty inches in width; and a small school bus is a vehicle under eighty inches in width. The words "small school bus" shall include station wagons, sub-urbans, panel body vehicles and vehicles converted to a school bus, but excluding passenger vehicles.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6 Student Monitors. Amend RSA 263 by inserting after section 29 the following new section: 263:29-a Student Monitors. A student monitor shall be assigned to every large school bus on every trip transporting children to or from school, for the entire duration of said trip. Throughout said trip he shall wear a white belt with crossed white shoulder straps. When any such school bus is stopped on a highway for the purpose of permitting school children to board or alight from said school bus, said monitor shall alight from said school bus immediately upon its coming to a stop and proceed to the left front of said bus. He shall determine if all vehicular traffic has stopped, and if it has not, he shall signal it to do so. When all such traffic has stopped, he shall permit such school children as are about to cross the street to do so, continuing to observe traffic. Should any traffic resume motion, he shall again signal it to stop, and prevent any school children from crossing the street until it has done so.

Amend section 7 of the bill by striking out said section and inserting in place thereof the following:

7 Motor Vehicle Operation. Amend RSA 263:43 by striking out said section and inserting in place thereof the following: 263:43 Overtaking and Passing School Bus. The driver of a motor vehicle upon a highway upon meeting or overtaking from either direction any school bus, plainly marked with school bus signs, or such other distinguishing identification as the commissioner may require, which has stopped on the highway for the purpose of receiving or discharging school children shall stop his vehicle before reaching such school bus at least fifty feet away from such school bus. The driver shall not proceed until such school bus resumes motion, or until flashing red lights cease to operate.

Amend section 8 of the bill by striking out the word "July" and inserting in place thereof the word "September" so that said section as amended shall read as follows:

8 Takes Effect. This act shall take effect as of September 1, 1961.

Mr. Claffin of Wolfeboro explained the amendment.

(discussion ensued)

Mr. Urie of New Hampton spoke against the amendments.

(discussion ensued)

Mrs. DeLude of Unity spoke against the amendments.

Mr. McGee of Lincoln moved that HB 297 be recommitted to the committee on Transportation and spoke in favor of the motion.

(discussion ensued)

Messrs. Deans of Milford, Kearns of Manchester, Urie of New Hampton and Claflin of Wolfeboro spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Recess

After Recess

Mr. Bevan of Durham for the Committee on Ways and Means, HB 467, imposing a tax on the sale of liquor by the glass. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. DeLude of Unity for the Committee on Ways & Means, HB 462, imposing taxes on meals and rooms. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Chandler of Bartlett for the Committee on Ways and Means, HB 99, relative to the repeal of the school per capita tax. Refer to the Educational Study Committee under Senate Joint Resolution No. 3.

On a *viva voce* vote the recommendation of the committee was adopted.

Report of Engrossed Bills Committee

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate bills:

HB 163, to repeal free fish and game licenses for resident members of armed forces.

HB 172, relating to issuance of duplicate fish and game licenses.

HB 415, relative to fees for private boat registration.

HB 457, legalizing the proceedings of the annual school district meeting held in the town of Auburn on March 10, 1961.

SB 67, relative to collection of taxes from contractors and sub-contractors.

HB 201, providing for the classification of the surface waters of the Lake Massabesic watershed and the Millers River watershed.

Committee Reports (cont)

Mrs. Weeks of Greenland for the Special Committee consisting of the members from the county of Rockingham, HB 441, relative to salary for the register of deeds for Rockingham County. Inexpedient to legislate. Minority, ought to pass.

Raymond Bowles
Ernest E. Stafford

Mrs. Greene of Rye moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Gay of Derry spoke against the motion.

Mr. Bowles of Portsmouth spoke in favor of the motion.

(Speaker in the Chair)

Mr. Keefe of Portsmouth spoke against the motion.

Mrs. Palmer of Plaistow moved that further consideration of HB 441 be indefinitely postponed and spoke in favor of the motion.

Mrs. Greene of Rye demanded the Yeas and Nays and the roll was called as follows:

YEAS 233

ROCKINGHAM COUNTY: Griffin, Persson, Spollett of Chester, Scott of Deerfield, Gay, Scott of Derry, White of Derry, Nickerson of East Kingston, Eastman of Exeter, Purington, Wylie, Spollett of Hampstead, Casassa, Clark of Kingston, Shepard, Sewall, Twardus, Cheney, Carter, Pinkham, McDaniel, Palmer, Keefe, Murch, Dame, Magoon, Peever, Felch, Waterhouse.

STRAFFORD COUNTY: Leighton, O'York, Fellows, Stonemetz, Flanagan, Adams of Madbury, Reid, Rolf, Maxfield, Potvin, St. Pierre, Johnson of Rochester, Varney, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: McAllister, Watson of Belmont, Lord, Robertson, McCarthy, Ayre, Prescott, Stothart, Dulac, Jones, Allan of Meredith, Smith, Urie, Jolsyn, Howe.

CARROLL COUNTY: Davis of Conway, Roberts, Thompson of Effingham, Blake, Brown of Sandwich, Fox, Chamberlain.

MERRIMACK COUNTY: Guilbeault, Keneval, Asby, Hutchinson, Allen of Concord, Davis of Concord, Audet, Hancock, Bingham, Lovejoy, Quinn, Sanders, Barnard, Gove, Newell of Concord, Jennings of Concord, McKay, Stevens, Broek, Mulaire, Brown of Loudon, London, Brewster, Tarrant.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wigg in of Bedford, Farwell, Bartlett, Jennings of Goffstown, Nickerson of Goffstown, Pickering, Brocklebank, Gallagher, Provencal, Warren, Ainley, Lang, Pettigrew, Soucy, Geisel, Mahony, Bruton, Hart, Hayes, Martel, Burke, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Healy of Manchester, Ward 6; O'Conner, LaFrance, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, Ward 8, Morris, Belanger, Kearns, King, Noel, Levasseur, Nalette, Allard, Vachon, Milliken, Underhill, Dionne of Nashua, Ward 2; Belcourt, Kirkorian, Brosnahan, Sullivan, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, LaVallee, Sablusi, Bouthiller, Locke, Peabody, Rice, Eastman of Weare, Draper.

CHESHIRE COUNTY: Gowing, Watkinson, Turner, Clark of Harrisville, Stearns, Cournoyer, Desmarais, Keating, Terrill, Parker, Brown of Keene, Kretowicz, Pickett, Oliver, Allen of Rindge, Crain, Hackler, Congdon, Ballam, Frost.

SULLIVAN COUNTY: Prudhomme, Angus, Nahill, Barrows, D'Amante, Desnoyer, Weber, Bailey, Downing, Vaughan, Spalding, DeLude.

GRAFTON COUNTY: Gilbert, Stevenson, Plumer, Willey, Hayward of Hanover, LaMott, Larty, Adams of Lebanon, Porter, Whipple, McGee, Collyer, Hill of Littleton, Martin, Haskins, Cushman, Kinghorn, Bell, Avery, Bradley, Anderson, Berringer.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Vashaw, Bouchard, Gagnon, Oakes, Graham, Kimball of Jefferson, Bragg, Shute, Bushey, Potter of Northumberland, Converse, Brooks, Stinson.

NAYS 91

ROCKINGHAM COUNTY: Vey, Kimball of Derry, Jenkins, Hislop, Driscoll, Bowles, Stafford, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 4; Ingraham, Carkin, Greene of Rye, Roulston.

STAFFORD COUNTY: Berry, Blanchette, Grimes, Colbath, Richardson, Bevan, Heald, Littlehale, Drew, Clark of Lee, Marsan, Watson of Rochester.

BELKNAP COUNTY: Rollins, Matheson, Lacaille, Harkins.

CARROLL COUNTY: Chandler of Bartlett, Hill of Conway, Taylor of Ossipee, Nickerson of Tamworth, Kurth, Claffin.

MERRIMACK COUNTY: Phelps, Hanson, Moore, York, Seamans, Brown of Danbury, Daniell of Franklin, Gilman of Franklin, Dempsey, Carpenter, Thompson of Northfield, Bigelow.

HILLSBOROUGH COUNTY: Hambleton, Taft, Eaton, Claveau, Clancy, Dumas, Lemay, Chapdelaine, Lesmerises, Rousseau, Gamache, Deans, Falconer, Cole, Cooper, Pappagianis, Karnis, Peterson.

CHESHIRE COUNTY: Bennett, Faulkner.

SULLIVAN COUNTY: Bascomb, Frizzell, Cann, Gaffney, Campbell, Guest, Williamson, Merrifield.

GRAFTON COUNTY: Paquette, Chandler of Canaan, Morse, Johnson of Franconia, Gage, Bowler, Low, Karsten, Adams of Lebanon, Demers, Burrill.

COOS COUNTY: Fontaine, Marsh, Emerson, Crockett.

PAIRS

Mrs. Weeks of Greenland voting Yes paired with Mrs. Cross of Portsmouth voting No.

Miss Loizeaux of Plymouth voting Yes paired with Mrs. White of Portsmouth, ward 5 voting No.

And the motion to indefinitely postpone prevailed.

Mrs. DeLude of Unity for the Committee on Ways and Means, HB 191, relating to poll taxes. Ought to pass with amendment.

Amend section 7 of the bill by striking out the figure "1961" and inserting in place thereof the figure, 1963, so that said section as amended shall read as follows:

7 Takes Effect. This act shall take effect upon April 1, 1963.

At the request of Mr. Williamson of Goshen, Mr. Chandler of Bartlett explained the bill.

Mr. O'York of Dover moved that HB 191 be indefinitely postponed and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Shepard of Londonderry for the Committee on En-grossed Bills, HB 50, relative to special fish and game licenses for nonresident members of the armed forces of the United States. Ought to pass with amendment.

Amend section 1 of said bill by striking out the first line and inserting in place thereof the following:

1 Members of the Armed Forces. Amend RSA 214:4 by striking out said section and inserting in place thereof the following: 214:4 Military Personnel. Military personnel and their

On motion of Mr. Spalding of Plainfield the House concurred in the amendment.

Senate Messages

The Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Concurrent Resolution

providing for a study of amount of state contribution toward municipal sewage disposal facilities.

Resolved, by the Senate with the House of Representatives concurring, *That* there is hereby established a special committee of three members to study the advisability of increasing from twenty to thirty per cent the state contribution toward

the cost of municipal sewage disposal facilities provided for by chapter 149-B, RSA. Two members of said committee shall be appointed by the speaker of the house from among the membership of the house and one member shall be appointed by senate. Said committee shall serve without compensation. Said committee shall make a report of its findings and recommendations to the 1963 legislature.

On a *viva voce* vote the concurrent resolution was adopted.

Resolutions

Messrs Chandler of Bartlett and Goode of Manchester offered the following resolution:

Resolved, That sessions of the House be held on Friday, June 9, and Friday, June 16.

Messrs. Goode of Manchester and Chandler of Bartlett spoke in favor of the resolution.

Mr. Maloomian of Somersworth offered the following amendment and moved its adoption:

Amend said resolution by striking out the words, Friday, June 9 and Friday, June 16, and inserting in place thereof the words, Monday, June 12 and Monday, June 19.

Mr. Clement of Rochester spoke in favor of the resolution.

Messrs. Deans of Milford and Geisel and Vachon of Manchester spoke against the motion.

On a *viva voce* vote the amendment was not adopted.

On a *viva voce* vote the resolution was not adopted.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives: HB 124, to establish a department of safety.

Amend paragraph II of section 2 of said bill by striking out the words "Providing, always", in the fifth line and inserting in place thereof the word, provided.

Amend RSA 106-B:13 as inserted by section 4 of the bill by striking out the word "superintendent" and inserting in place thereof the word, director.

Amend section 15 of said bill by striking out the word and figure "section 24" in the twenty-third line and inserting in place thereof the figure, RSA 376:24.

On motion of Mr. Shepard of Londonderry the House concurred in the Senate amendment.

The Chair announced that the following members were appointed to the committee of conference on HB 63, providing one season for the taking of deer: Messrs. Converse of Pittsburgh, Spalding of Plainfield and Vashaw of Berlin.

Mr. Stafford of Portsmouth offered the following resolutions for the Portsmouth Delegation:

Whereas, John H. Yeaton, former Representative from Portsmouth, has passed away, therefore be it

Resolved, that we, the members of the House of Representatives of the New Hampshire General Court, express our deep sympathy to his family in its bereavement, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Mr. Yeaton's family.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Pickett of Keene offered the following resolution:

Resolved, that the Speaker appoint a committee of five to prepare a program for the Mock Session.

(discussion ensued)

On a *viva voce* vote the resolution was adopted and the Chair appointed the following as a committee: Mr. Pickett of Keene, Mrs. St. Pierre of Rochester, Mrs. DeLude of Unity, Mrs. Gagnon of Berlin and Mr. Pettigrew of Manchester.

On motion of Mr. Bell of Plymouth the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

The following bills and resolutions were read a third time, passed, and sent to the Senate for concurrence:

HB 447, relative to use of funds by credit unions.

HB 337, relative to the charter of the Orford fire engine company.

HB 442, relative to the licensing of real estate brokers and salesmen.

HB 449, relative to term of office of members of the state soil conservation committee.

HB 229, for the acquisition of the Adams property in Durham for development of wildlife management area.

HB 249, relative to financing of insurance agents.

HB 466, relative to county conventions.

HJR 36, in favor of Fred Lahaye.

HJR 34, providing for a study into the feasibility of state participation in cost of group insurance for state employees.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 130, relative to notice to department of employment security of licensed employment offices.

SB 129, relative to the department of employment security.

On motion of Mrs. Frizzell of Charlestown the House adjourned at 3:25 o'clock.

WEDNESDAY, JUNE 7, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Father George Harvey, from the Villa Augustina Academy of Goffstown: Direct O God, we beseech thee, all our actions by Thy good and gracious assistance, so that every word and work of ours may be begun by Thee and through Thee happily ended through Christ Our Lord, Amen.

Pledge of Allegiance to the Flag

Mr. Gilbert of Bath led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group of students from Grade 7 of the Pollard grammar school of Plaistow, courtesy of Mrs. Palmer of Plaistow.

A group of 6th and 7th grade students from the Stratham Memorial school, courtesy of Mr. Barker of Stratham.

A group of Republican women from Carroll, Coos and Grafton counties.

Leaves of Absence

Messrs. Brown of Keene and Plante of Manchester were granted an indefinite leave of absence on account of illness.

Mrs. White of Portsmouth, Ward 5 and Mr. Gove of Concord were granted a leave of absence for today and tomorrow on account of important business.

Mr. Chapdelaine of Manchester was granted a leave of absence for the day on account of important business.

Report of Committee on Engrossed Bills

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 124, to establish a department of Safety.

Committee Reports

Mr. Vashaw of Berlin for the Committee on Fish and Game, SB 101, prohibiting use of certain boats on Abbott Forest pond in Stoddard. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Reconsideration

Mr. Merrifield of Sunapee served notice that today, or some subsequent day, he would request the House to reconsider its vote whereby it passed HJR 36, in favor of Fred Lahaye.

Committee Reports (cont)

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 324, relative to the registration and licensing of guides. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 464, relative to licenses for taking clams and oysters. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Allen of Concord for the Committee on Labor, HB 390, providing citizens' job protection. Inexpedient to legislate.

Mr. Welch of Concord moved that HB 390, be recommitted to the committee on Labor and spoke in favor of the motion.

Mr. Angus of Claremont spoke in favor of the motion.

Mr. Edwards of Antrim spoke against the motion.

Mr. Allen of Concord and Stevenson of Bethlehem spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Barker of Stratham for the Committee on Municipal and County Government, HB 432, legalizing the annual town

meeting held in the town of Exeter, March 14, 1961. Ought to pass with amendment.

Amend the bill by striking out section 1 thereof and inserting in place thereof the following:

1 Proceedings Validated. The proceedings of the annual town meeting of the town of Exeter held March 14, 1961, relating to and resulting in the appropriation and raising of money pursuant thereto, whether by vote and pronouncement of the moderator or by vote by use of the Australian ballot, are hereby legalized, ratified and confirmed.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Smith of Meredith for the Committee on Municipal and County Government, HB 347, requiring voting of county budgets annually. Ought to pass with amendment.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Budget Statement. Amend RSA 24:21 by striking out the words "February of each biennial session of the legislature" in the third line and inserting in place thereof the words, January annually; by striking out the words "each of the two years" in the sixth line and inserting in place thereof the words, the year; by striking out the words "In any county where appropriations are made annually such statements shall be furnished annually by the last day of February." in the eighth and ninth lines; and by striking out the word "fourteen" in the eleventh line and inserting in place thereof the word, twenty-eight, so that said section as amended shall read as follows:

24:21 Budget Statement. The county commissioners shall deliver or mail to each member of the county convention and to the secretary of state prior to the last day of January annually a statement of the condition of the county treasury on the preceding December thirty-first accompanied by their itemized recommendations of the sums necessary to be raised for the county in the year next ensuing, stating therein in detail the objects for which the money is required. No county convention shall vote appropriations for the ensuing budget period

until twenty-eight days shall have elapsed from the mailing of such statements.

2 Public Hearing on Budget Estimates. Amend RSA 24:23 by striking out the words "later than seven" in the first line and inserting in place thereof the words, earlier than ten nor later than twenty, so that said section as amended shall read as follows: 24:23 — Public Hearing. Not earlier than ten nor later than twenty days after the mailing of the commissioners' statement there shall be held within the county at such time and place as the chairman of the county convention may specify, a public hearing on the budget estimates as submitted by the commissioners. Notice of such public hearing shall be submitted by the clerk of the county convention, with a summary of the budget as submitted, for publication in a newspaper of general circulation in the county at least three days prior to the date of said hearing.

Further amend said bill by renumbering section 2 to read 3.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Casassa of Hampton for the Committee on Resources, Recreation and Development, HB 377, to provide for expansion of the state park system. Ought to pass with amendment.

Amend the bill by striking out sections 3 and 4 and inserting in place thereof the following:

3 Forestry and Recreation Commission: Authority. In the performance of its duties hereunder the commission shall give equal consideration to the recreational needs of all geographic areas of the state and shall have particular concern for the following objectives: a. the development of present parks and facilities thereon to their optimum capacity for skiing, camping, and other income producing potential. b. development of any other lands and facilities that the state now owns for optimum recreational potential. c. acquisition of new areas and facilities thereon within the state, believed by the commission to have sound potential for development, use and operation as state parks, historic sites or wayside areas. With the approval of the governor and council the commis-

sion shall have authority in the name of the state to acquire by lease, purchase or gift, and if need be, after acquisition, to dispose of by sale or exchange either land adjacent to present state parks believed by the commission to be required for the protection of the state or land for new areas. With like approval and notwithstanding any other provision of law the commission may enter into agreements with private persons or agencies, provided, however, that any lease agreement with such private persons or agencies wherein the state is lessee shall be for a term of not less than forty years, or with public agencies, state, federal, or municipal, for the use, development and operation of lands so acquired or for the construction, use, development and operation of facilities thereon or to be constructed thereon which agreements may include the right to receive grants, aids or services as may be available from the federal government for acquisition, planning, development, maintenance or operation of state parks, and with respect to other New England states may include arrangements for regional planning, acquisition, development and operation of inter-state parks. In the performance of its duties hereunder, the commission with approval of governor and council may employ such services as are necessary to acquisition, planning, design and development, and for such purposes it may assign to permanent employees of the department such additional duties on a temporary basis as it deems necessary and advisable. In such event, the performance of such additional duties by such personnel may be compensated from funds made available under this chapter.

3-a State Historical Commission; Recommendations. Under the authority of this act, in the selection, development, use and operation of sites and properties having historical significance, now owned or to be acquired by the state, the forestry and recreation commission shall consult with and act only upon the recommendations of the state historical commission.

4 Appropriation. A sum not exceeding ten million dollars, not more than five million dollars of which may be spent on projects which are not self-liquidating, is hereby appropriated for the purposes and projects authorized by the foregoing sections, as may be approved by the governor and council.

Mr. Watson of Belmont moved that HB 377 be recommended to the committee for further consideration and spoke in favor of the motion.

Mr. Urie of New Hampton spoke against the motion.

(discussion ensued)

Mr. Chandler of Bartlett spoke against the motion.

On a *viva voce* vote the motion was not adopted.

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Appropriations under the rules.

Mr. Buckley of Mont Vernon for the Committee on Finance, HJR 27, in favor of the county of Merrimack. Inexpedient to legislate.

Minority: ought to pass.

Belanger of Manchester
Daniell of Franklin
Plourde of Pembroke
Twardus of Newmarket
Lesmerises of Manchester

Mr. Charland of Franklin moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Gibson of Concord moved that HJR 27 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mrs. Davis of Concord spoke in favor of the motion.

(discussion ensued)

Messrs. Daniell and Charland of Franklin spoke against the motion.

Messrs. Hill of Conway and London of New London spoke in favor of the motion.

Mrs. Davis of Concord spoke a second time in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Charland of Franklin requested a division.

211 members having voted in the affirmative and 62 in the negative the motion to indefinitely postpone prevailed.

Mr. Charland of Franklin demanded the Yeas and Nays and subsequently withdrew his request.

First and Second Reading of a Bill

HB 483, making appropriations for capital improvements, long term repairs and maintenance for the state of New Hampshire, (Chandler of Bartlett, Goode and King of Manchester) to Appropriations.

Committee of Conference Report

The committee of Conference to whom was referred House Bill No. 291. An act in relation to discharging firearms, having considered the same, report the same with the following recommendation:

That the House recede from its position of non-concurrence and adopt the amendments sent down by the Honorable Senate.

Ralph W. Totman
Paul L. Normandin
William P. Gove

Conferees on the Part of the House

Laurier Lamontagne
Robert English

Conferees on the Part of the Senate

On a viva voce vote the recommendation was adopted.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 128, relating to fire prevention in nursing homes.

SB 135, to repeal charters of certain corporations.

SB 57, establishing an interim committee to study the question of extending the powers of the Maine-New Hampshire Interstate Bridge Authority.

Senate Bills Read and Referred

SB 128, to Public Health.

SB 135, to Judiciary.

SB 57, to Public Works.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 366, relative to motor vehicle sales finance.

Amend subparagraph V of 361-A:1 as inserted by section 1 of the bill by striking out said subparagraph and inserting in place thereof the following:

“Motor vehicle” means any device having a cash sale price of \$7,500.00 or less, propelled or drawn by any power other than muscular power, in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting power shovels, road machinery, buses, agricultural machinery and house and boat trailers.

Amend subparagraph (4) of Paragraph II of 361-A:7 as inserted by section 1 of the bill by striking out said subparagraph and inserting in place thereof the following:

(4) The amount, if any, included for insurance and other benefits specifying the types of coverage and benefits, stating separately by rate or in terms of dollars, the amount charged for credit sickness, accident and life insurance, whether issued under a group policy or not.

Amend subparagraph (7) of Paragraph II of 361-A:7 as inserted by section 1 of the bill by striking out said subparagraph and inserting in place thereof the following:

(7) The amount of the finance charge, and specification of the types of coverage and benefits for any insurance coverage or other benefits included therein, with the rate for credit sickness, accident and life insurance stated separately by rate or in terms of dollars, whether issued under a group policy or not.

Amend section 2 of the bill by striking out the word “July” where it appears therein and inserting in place thereof the word “October”, so that said section as amended will read as follows:

2. Takes effect. This act shall take effect as of October 1, 1961.

Mr. Bigelow of Warner moved that the House concur in the Senate amendments.

At the request of Mr. Deans of Milford, Mr. Bigelow of Warner explained the amendments.

On a *viva voce* vote the amendments were adopted.

A further Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Joint Resolution, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HJR 13, authorizing a study of the operation of the milk control act.

Amend said resolution by striking out the date "June 1, 1961" and inserting in place thereof the date, July 1, 1961.

On motion of Mr. Adams of Madbury the House concurred in the amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives:

HB 180, to increase the terms of office of the clerk and treasurer of the city of Nashua.

HJR 16, in favor of Wilbur J. Little.

A further Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 436, authorizing cities and towns to construct moving sidewalks.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Town Appropriations. Amend RSA 31:4 by inserting after paragraph XXXVI (supp) as inserted by 1961, 81:1 the following new paragraph: XXXVII. Moving Sidewalks. To construct, operate and maintain within

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

Mr. Hart of Manchester moved that HB 304, relative to term of office and salary of the mayor of the city of Manchester, be taken from the table and spoke in favor of the motion.

On a *viva voce* vote the motion was lost.

Resolutions

Messrs. Gamache, King, Vachon and Ecker of Manchester offered the following resolutions:

Whereas, Mrs. Dorothy Crowley Bubzianowski, daughter of Roger J. Crowley, Sr., Representative from Manchester, has passed away, and

Whereas, Mrs. Bubzianowski, as a Navy nurse in World War II, held the rank of Lieutenant, senior grade, and saw extensive service in the southwest Pacific theater of operations, and was a former supervisor of nurses at the New Hampshire Memorial Hospital in Concord, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that we, the Members of the New Hampshire General Court, express our deep sympathy to Representative Crowley and to the other members of Mrs. Bubzianowski's family in their bereavement, and be it further

Resolved, that a copy of this Concurrent Resolution be transmitted to Representative Crowley.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Bennett of Keene offered the following resolutions:

Whereas, we have learned of the serious illness, and confinement in the Concord Hospital, of our fellow Representative, Edward E. Brown of Keene, therefore be it

Resolved, that we, the members of this House of Representatives in General Court convened, do hereby extend our sympathy to Mr. Brown with a sincere hope for his speedy recovery, and be it further

Resolved, that a copy of these resolutions be transmitted to Mr. Brown.

On a *viva voce* vote the resolutions were unanimously adopted.

The Chair announced that today was the 50th wedding anniversary of Mr. and Mrs. Gilbert of Bath.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

SB 101, prohibiting use of certain boats on Abbott Forest pond in Stoddard, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 324, relative to registration and licensing of guides.

HB 464, relative to licenses for taking clams and oysters.

HB 432, legalizing the annual town meeting held in the town of Exeter, March 14, 1961.

HB 347, requiring voting of county budgets annually.

On motion of Miss Bailey of Newport the House adjourned at 12:29 o'clock.

THURSDAY, JUNE 8, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, Reverend George Pennington:

Eternal God of goodness and greatness, we who are gathered here are engaged in a vast experiment in applied religion.

We continuously put to a test our ability to apply the values we profess. We subject to great stresses the ties that bind us in goodwill and understanding. We place under severe strain the tolerance of our wills in the heat generated by the contact of minds and emotions.

Yet, we sense, O God, that for this have we been sent here: — out of our many backgrounds and desires to evolve government that has been tested and found worthy of the name it bears, and the needs of the people it professes to serve. Be with us, we pray, to guide us in this great experiment of a free people. Amen.

Pledge of Allegiance to the Flag

Mr. LaMott of Haverhill led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced the following groups as guest of the House today:

A group of Democratic women from Nashua, courtesy of Mr. Sabluski of Nashua and the Nashua Delegation.

A group from the 7th and 8th grades from the Holderness central school, courtesy of Mr. Karsten of Holderness.

A group from the 7th and 8th grades from Westmoreland, courtesy of Mr. Wildey from Westmoreland.

A group from the 7th grade of the Memorial school of Newton, courtesy of Mr. Cheney of Newton.

First and Second Reading of House Bills

HB 484, authorizing the appointment of a consultant to the commissioner of safety (Goode of Manchester, Chandler of Bartlett) to Executive Departments and Administration.

HJR 41, providing funds for the purchase of certain equipment for the office of the secretary of state (Clement of Rochester) to Appropriations.

Mr. Clement of Rochester moved that the order whereby HJR 41 was referred to the committee on Appropriations be

vacated, that a public hearing be dispensed with and that the resolution be placed on third reading and final passage, by caption only, at the present time.

The Clerk read the resolution in full.

Mr. Clement of Rochester explained the resolution.

On a *viva voce* vote the motion was adopted.

Third Reading

HJR 41, providing funds for the purchase of certain equipment for the office of the secretary of state, was read a third time, passed, and sent to the Senate for concurrence.

Committee Reports

Mr. Goode of Manchester for the Committee on Appropriations, HB 58, establishing a division of records management and archives. Ought to pass with amendment.

Amend said bill by inserting after section 3 the following new sections:

4 Capital Expenditures Authorized. The sum of one hundred forty-three thousand three hundred fifty-two dollars is hereby appropriated for the purpose of the construction of the record center which purpose includes architectural services, site preparation and such related facilities, equipment and furnishings as are necessary to complete the same.

5 Manner of Expenditure. The appropriation made for the project mentioned in section 4 shall be expended by the comptroller, provided that all contracts for said project and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 228:4.

6 Borrowing Power. To provide funds for the appropriation made in section 4 hereof, the state treasurer is hereby authorized under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of one hundred forty-three thousand three hundred fifty-two dollars (\$143,352); and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest

shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

7 Payments. The payment of principal and interest on bonds and notes issued for said project shall be made when due from the general funds of the state.

8 Proceeds from Sale. The proceeds of the sale of said bonds or notes authorized by section 6 shall be held by the treasurer and paid out by him upon warrants drawn by the governor. The governor, with the advice and consent of the council, shall draw his warrants for the payments from the funds provided for herein of all funds expended or due for the purposes herein authorized.

9 Accounts. The secretary of state shall keep an account of all bonds or notes authorized hereunder countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer, and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity.

10 Short Term Notes. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purpose hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no time shall the indebtedness of the state on short term loans exceed the sum of one hundred forty-three thousand three hundred fifty-two dollars.

11 Sale of Bonds or Notes. All bonds or notes except short term loans issued under the provisions of this act shall be sold at public sealed bidding to the highest bidder provided, however, that the governor and council may reject any or all bids and may negotiate for said sale upon terms which it may deem most advantageous to the state.

Further amend said bill by renumbering section 4 to be section 12 and by renumbering section 5 to be section 13.

At the request of Mr. Pillsbury of Manchester, Mr. Clement of Rochester explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Goode of Manchester for the Committee on Appropriations, HB 412, relative to additional grants of school building aid. Ought to pass with amendment.

Amend section 1 of the bill by striking out after the word "grants" in the sixteenth line the words "Any amounts not distributed in the first year of any biennium may be distributed in the second year if required to distribute the maximum amount permissible under this section" so that said section as amended shall read as follows:

1 Additional Grant. Amend RSA 198:15-f (supp) as inserted by 1955, 335:10 and amended by 1957, 301:4 by striking out said section and inserting in place thereof the following: 198:15-f Additional Grant. Each school district (other than a cooperative school district as defined in RSA 195:1) and each city maintaining a school department within its corporate organization which operates a high school with an approved program in grades 9-12, or any part thereof, will be entitled to an additional two and one-half per cent annual grant of school building aid for each other school district located within this state which sends at least a majority of its high school pupils to the resident high school, provided however that the number being sent from any one other school district must be in excess of five to qualify for such additional grant. If in any year, the amount appropriated for distribution as additional school building grant in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally among the districts entitled to such grants.

Amend section 2 by striking out said section and inserting in place thereof the following:

2 Appropriations. To take effect the second year of the biennium, 1962-63, if unrestricted general fund revenue for the fiscal year ending June 30, 1962, shall exceed the sum of \$26,134,912.00, a sum not exceeding \$204,074.00 is hereby appropriated for the purpose of school building aid hereunder.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Taft of Greenville for the Committee on Appropriations, HB 363, relative to education for intellectually retarded children. Ought to pass with amendment.

Amend section 2 of the bill by striking out the figure "\$75,000" in the first line and inserting in place thereof the figure, \$50,000, and striking out the figure "\$117,000" in the second line and inserting in place thereof the figure, \$75,000, and by striking out the words "A sum not to exceed \$12,000 per year from these appropriations may be used by the state board of education for the salaries of personnel and related expenses involved in the administration and supervision of this program" in the third, fourth, fifth, sixth and seventh lines, so that said section, as amended, shall read as follows:

2 Appropriation. The sum of \$50,000 is hereby appropriated for the fiscal year ending June 30, 1962, and the sum of \$75,000 for the fiscal year ending June 30, 1963. Any amount not expended in the first year of the biennium may be expended during the second year if needed to carry out the provisions of this act. The sums hereby appropriated shall be expended by the state board of education for the purposes stated in this act. If, in any year the amount appropriated for distribution to school districts under this section is insufficient therefor, the appropriation shall be prorated proportionately among the districts entitled to a grant.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Vaughan of Newport for the Committee on Appropriations, HB 47, amending the benefits payable upon retirement. Ought to pass with amendment.

Amend the bill by renumbering section 8 to read section 9.

Further amend the bill by inserting after section 7 a new section 8, as follows:

Appropriation: For the purposes of this act there is hereby appropriated for the fiscal year ending June 30, 1962, the amount of \$60,000 from the general funds of the state, or so much thereof as may be necessary, and a similar sum for the fiscal year ending June 30, 1963. The governor is authorized to

draw his warrant for such sums as may be necessary from funds in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. King of Manchester for the Committee on Appropriations, HB 256, relative to technical institutes and vocational-technical schools. Ought to pass with amendment.

Amend section 188-A:2 of the bill by adding at the end thereof the following: For the establishment and program administration of the technical institute the state board of education shall act with the approval of a majority of not less than two of a committee of three persons representing industry and industrial relations or labor appointed in accordance with the following subdivision.

(a) A technical institute and vocational-technical schools committee is hereby established consisting of three members, two of whom shall have broad experience in industry with emphasis upon industrial management and one of whom shall have broad experience in industrial relations or labor; not more than two members of which shall be of the same political party appointed by the governor and council for a term of three years. Initial appointments shall be of one member for one year, one member for two years, and one member for three years. Vacancies shall be filled for the unexpired term. It shall be the duty of the committee to act with the state board of education in effecting the establishment and continuation of the programming and administration of the technical institute provided by this chapter so that said institute shall be assured of continuing expert participation in programming and administration by qualified representatives of industry and industrial relations or labor.

Amend RSA 188-A:5 as inserted by section 1 of said bill by inserting at the end of the first sentence the words, provided, however, that one of said vocational-technical schools shall be located in the city of Berlin, so that said section as amended shall read as follows:

188-A:5 Vocational-Technical Schools. The state board of education is hereby authorized and directed to establish not

more than five vocational-technical schools in geographic areas throughout the entire state, as determined by the board, provided, however, that one of said vocational-technical schools shall be located in the city of Berlin. The board is further authorized and directed to recognize the present technical institutes (Manchester-Portsmouth) as vocational-technical schools in accordance with the intent of this chapter.

On motion of Mr. King of Manchester the rules of the House were so far suspended as to dispense with the reading of the amendment and Mr. King explained the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Pillsbury of Manchester moved that the rules of the House be so far suspended as to place HB 256 on third reading and final passage at the present time.

Mr. Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Third Reading

HB 256, relative to technical institutes and vocational-technical schools, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Pillsbury of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 256 and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mrs. Lord of Gilford for the Committee on Appropriations, HB 280, relative to a civil defense fire and rescue training center. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bigelow of Warner for the Committee on Banks, HB 402, relative to credit unions. Ought to pass with amendment.

Amend the bill by striking out sections 1 through 6 inclusive and inserting in place thereof the following:

1 Borrowing. Amend RSA 394:27 (supp) as amended by 1957, 1:1 by striking out said section and inserting in place thereof the following: 394:27 Borrowing. The board of directors at any regular or special meeting may, by majority vote, authorize the treasurer to borrow specified amounts of money. At no time may the total borrowing exceed thirty per cent of its total paid-in and outstanding shares, guaranty fund and undivided profits.

2 Compensation. Amend RSA 394:29 by striking out the words "if approved by the commissioner" in the fifth line so that said section as amended shall read as follows: 394:29 Compensation. No member of the board of directors or of either the credit or supervisory committee shall receive any compensation for his services as a member of said board or of such committee. The officers elected by the board of directors may receive such compensation as the board shall authorize. However, if at any time any credit union organized under the provisions of this chapter shall have enlarged its business to such extent that this section may create an impediment to its proper functioning, the commissioner, upon petition of the board of directors, may permit said board of directors to pay such credit committee such compensation as he shall consider proper.

3 Guaranty Fund. Amend RSA 394:39 by striking out the word "twenty" in the third line and inserting in place thereof the word, ten, so that said section as amended shall read as follows: 394:39 Increase, etc. Upon recommendations of the board of directors, the members at any annual or semi-annual meeting may increase, and, whenever said fund equals ten per cent of the amount of the capital stock actually paid in, may decrease the proportion of profits which is required by the preceding section to be set apart as a guaranty fund.

4 Dividends. Amend RSA 394:42 by striking out the word "losses" in the fifth line so that said section as amended shall read as follows: 394:42 Declaring. At the annual meeting a dividend may be declared from income which has been actually collected during the fiscal year next preceding, or at a semi-annual meeting a dividend may be declared from income which has been actually collected during the six months next preceding, and which remains after the deduction of all ex-

penses, interest on deposits not exceeding four per cent per annum and the amount required to be set apart as a guaranty fund, or such dividend may be declared in whole or in part from undivided earnings of preceding years, not to exceed twenty per cent thereof in any one year; provided, that such earnings are a part of the surplus of the union in excess of all requirements of the guaranty fund.

5 Amend RSA 394:45 by striking out the word "twenty" in the first line and inserting in place thereof the words, fifteen banking, so that said section as amended shall read as follows: 394:45 Annual. Within fifteen banking days after the last business day of June in each year, every credit union shall make to the commissioner a report in such form as he may prescribe, signed by the president, treasurer and a majority of the supervisory committee, who shall certify and make oath that the report is correct according to their best knowledge and belief.

Further amend said bill by renumbering sections 7 and 8 to read 6 and 7.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Kurth of Tuftonboro for the Committee on Executive Departments and Administration, SB 120, relative to jurisdiction of director of tobacco products division. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Roulston of Salem for the Committee on Executive Departments and Administration, HB 473, relative to the state council on aging. Ought to pass with amendment.

Amend sections 1, 2 and 3 of the bill by striking out the same and inserting in place thereof the following:

1 State Council on Aging. Amend RSA 167-A (supp) as inserted by 1957, 264:1 by striking out said section and inserting in place thereof the following new section: 167-A:1 Council Established. There shall be a state council on aging to consist of fifteen members as follows: The governor shall appoint eight members of the council each for a term of four years, provided that of the first appointments hereunder two shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years.

Said members shall hold office until their successors are appointed and qualified and vacancies shall be filled for the unexpired term. In addition thereto there shall be one member appointed by the president of the senate and one member appointed by the speaker of the house of representatives, said two members to hold office for term for which each is elected. Of the ten appointed members at least four shall be the age of sixty or over at the time of their appointment. The additional five members of the council shall be the following officials, namely, the commissioner of public welfare, the commissioner of education, the commissioner of employment security, the state health officer, and the director of university extension service. In case any department member is unable to serve in said capacity he may appoint a representative from his department to serve as a member of the council.

2 Officers. Amend RSA 167-A:2 by striking out said section and inserting in place thereof the following: 167-A:2 Organization. The governor shall name one member of the council to act as chairman. His term of office as chairman shall be for two years. Said chairman shall call the first meeting of the council. The council shall elect its own clerk. The director of public welfare shall designate a member of his staff who shall serve as executive secretary. The expenses for such secretary shall be a charge upon funds of the public welfare department.

3 Powers. Amend RSA 167-A:6 by striking out said section and inserting in place thereof the following new section: 167-A:6 Duties. The council shall make a continuing assessment of existing knowledge and problems relating to the aged with a view to determining what steps can and should be taken to provide a better integration of the older group of persons in the social and economic life of the state. It shall coordinate the efforts of volunteer agencies as they relate to these problems and shall stimulate work upon these problems in rural areas by such direct action as is consonant with its function and purposes. The council shall solicit the cooperation and help of various business and labor groups together with all other groups that may be concerned with problems of the aging, and shall obtain from such groups their views, experience and assistance in the preparation and direction of future planning and such recommendations for legislative action as the council may from time to time deem necessary and advisable. In the work of the

council all governmental agencies within the state shall cooperate in making available such information, suggestions and statistics as will enable the council to perform its functions.

Further amend the bill by inserting after section 3 the following new section:

4 Federal Funds. Amend RSA 167-A (supp) as inserted by 1957, 264:1 by adding at the end thereof the following new section: 167-A:7 Federal Funds. The council is empowered to receive and expend such federal funds as may from time to time be available to it.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5 Appropriation. The sum of seven hundred fifty dollars is hereby appropriated to be expended for purposes of the state council on aging as established by this act. The governor is authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend the bill by renumbering sections 4, 5 and 6 to read 5, 6 and 7.

On motion of Mrs. Roulston of Salem the rules of the House were so far suspended as to dispense with the reading of the amendment. Mrs. Roulston explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Appropriations under the rules.

Mr. Edwards of Antrim for the Committee on Public Works, SB 74, relative to completion of state highway project in the town of Andover. Ought to pass.

At the request of Mr. Chandler of Bartlett, Mr. Plumer of Bristol explained the bill.

(discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Plumer of Bristol for the Committee on Public Works, SB 117, to repeal Chapter 264 of the Laws of 1921. Ought to pass.

At the request of Mr. Pillsbury of Manchester, Mr. Plumer of Bristol explained the bill.

(discussion ensued)

Mr. Nickerson of Goffstown spoke in favor of the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Bowler of Hanover for the Committee on Public Health, HB 448, relative to the director of special health services. Ought to pass with amendment.

Amend section 1 of the bill by inserting after the word "services" in the third line the words, who shall be a physician with training and experience in public health, so that said section as amended shall read as follows:

1 State Board of Health. The state board of health is authorized to appoint a director of the division of special health services, who shall be a physician with training and experience in public health, to administer a program of heart disease control and other chronic disease activities. The director shall receive an annual salary of thirteen thousand dollars.

Amend section 2 of the bill by striking out the words "four thousand" in the fourth line and inserting in place thereof the words, forty-one hundred and ninety" and by striking out the words, "a like sum" in the fourth line and inserting in place thereof the words, and the sum of thirty-eight hundred and ten dollars, so that said section as amended shall read as follows:

2 Appropriation. In addition to the sums appropriated by the acts making appropriations for the fiscal year ending June 30, 1962 for special health services in the health department there is hereby appropriated the sum of forty-one hundred and ninety dollars and the sum of thirty-eight hundred and ten dollars is hereby appropriated for the fiscal year ending June 30, 1963 for the purpose of providing the additional salary for the director of the special health services. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and HB 448 was referred to the Appropriations committee under the rules.

Mr. Rice of Peterborough for the Committee on Resources, Recreation and Development, HB 468, relative to Souhegan River Watershed Project. Ought to pass.

HB 468 was referred to the committee on Appropriations under the rules.

Mr. Nickerson moved that the Special Order for 11:01 on HB 295, relative to future water supplies for the city of Manchester be taken up at the present time.

On a *viva voce* vote the motion was adopted.

Mr. Nickerson of Goffstown moved that HB 295 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mr. Pillsbury of Manchester spoke against the motion.

Mr. Crowley of Manchester spoke in favor of the motion.

(discussion ensued)

Mr. Mahoney of Manchester spoke in favor of the motion.

Mr. Nickerson of Goffstown requested a division.

The vote being manifestly in the negative the motion to indefinitely postpone was lost.

On a *viva voce* vote HB 295 was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Joint Resolution:

HJR 41, providing funds for the purchase of certain equipment for the office of the Secretary of State.

Recess

After Recess

Mr. Goode of Manchester for the Committee on Appropriations, HB 346, establishing a department of resources and economic development, merging therein planning and development, forestry, recreation, and transferring thereto for limited purposes the water resources board and the New Hampshire state port authority. Ought to pass.

Mr. Hill of Manchester offered the following amendment and moved its adoption.

Amend the title of said bill by adding the words, fish and game, so that said title as amended shall read as follows: An Act establishing a department of resources and economic development, merging therein planning and development, forestry, recreation, fish and game, and transferring thereto for limited purposes the water resources board and the New Hampshire state port authority.

Amend RSA 12-A:1 as inserted by section 3 of the bill by adding at the end thereof the words, and a division of fish and game, so that said section as amended shall read as follows: 12-A:1 Establishment. There shall be a department of resources and economic development under the executive direction of a commissioner of resources and economic development, consisting of a division of economic development which shall include but not be limited to subdivisions of research, planning, development and promotion; a division of parks; and a division of fish and game.

Amend RSA 12-A:2 as inserted by section 3 of the bill by adding at the end thereof the words, and shall be required to have the approval of the advisory commission in respect to all policy matters affecting the division of fish and game, so that said section as amended shall read as follows: 12-A:2 Commissioner of Resources and Economic Development. There shall be a commissioner of resources and economic development who shall be appointed by the governor and council for a term of four years from the date of his appointment and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department. The commissioner of Resources and Development shall appoint one member of his staff who shall act in his stead

when said commissioner is absent from the state and at such other times as he is so directed by the commissioner. When acting for the commissioner said person shall have all the power, duties and authority of the commissioner. Directors of departmental divisions shall be subject to the supervisory authority of the commissioner, which authority shall include power to establish department and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner shall consult with the advisory commission prior to the establishment of general and divisional departmental policy and shall be required to have the approval of the advisory commission in respect to all policy matters within the division of fish and game.

Amend RSA 12-A:3 as inserted by section 3 of the bill by adding the words, and a director of fish and game, after the words "parks" so that said section as amended shall read as follows: 12-A:3 Directors of Divisions. The commissioner shall nominate for appointment by the governor and council, a director of resources development, a director of economic development, a director of parks, and a director of fish and game, each of whom shall serve, subject to the provisions of RSA 4:1, for a term of four years from the date of his appointment and until his successor is appointed and qualified. Any vacancy in such offices shall be filled for the unexpired term in the same manner as the original appointments. Directors of divisions shall be responsible for the administration and operation of the respective divisions subject to the supervisory authority of the commissioner as set forth in section 12-A:2 of this chapter.

Amend RSA 12-A:5 as inserted by section 3 of the bill by adding the words, of fish and game, after the word "two" in line 113 of the printed bill so that said section as amended shall read as follows: 12-A:5 Advisory Commission Established. There shall be a commission advisory to the commissioner of resources and development consisting of seven members each of whom shall be appointed by the governor and council for a term of five years and until his successor is appointed and qualified. Provided, however, that the initial appointments hereunder shall be for the following terms: two members for a term of five years, two members for a term of four years, one member for a term of three years, one member for a term of two years and one member for a term of one year. As the

terms of initial appointees expire succeeding appointments shall be for terms of five years. In the event of a vacancy in membership, appointment shall be made in the same manner but for the unexpired term only. The commission shall be composed of residents of the state of New Hampshire, at least one of whom shall be qualified, experienced and representative of manufacturing, one of agriculture, one of fish and game, one of recreation, one of forestry, one of commerce and one of public relations. The governor shall designate a chairman from among its membership which he shall do annually thereafter, and no member shall be eligible to serve as chairman more than three years whether or not his service as such has been consecutive or interrupted. Members of the commission shall serve without compensation but shall be entitled to receive mileage and expenses when in the performance of duties required hereunder.

Amend RSA 12-A as inserted by section 3 of said bill by inserting after section 10 the following new sections: 12-A:11 and 12-A:12 Fish and Game Fund. Nothing in this chapter shall be construed to alter present statutory restrictions with respect to the fish and game fund as set forth in RSA 206:33-38 (supp) as amended by 1957, 110:2, and the provisions of these sections shall apply to fish and game funds; within the department of resources and economic development, division of fish and game.

12-A:12 Director of Fish and Game; Initial Appointment and Tenure. The director of fish and game in office on the effective date of this act shall continue in office as director of the division of fish and game subject to the provisions of this act. His tenure and salary shall be as herein established for the director of the division of fish and game at the maximum salary grade. All of the powers, duties and functions heretofore performed by the director of fish and game pursuant to any provision of the statutes shall henceforth be performed by the director of the division of fish and game subject to the provisions of this act. Wherever reference is made to the director of fish and game in any provision of the statutes it shall henceforth be construed to mean the director of the division of fish and game within the department of resources and economic development.

Further amend said bill by renumbering RSA 12-A, 12-A:11 and 12-A:12 to read RSA 12-A, 12-A:13 and 12-A:14.

Amend section 7 by inserting after the salary for the state forester the words and figures "director of recreation, minimum \$8866, maximum \$10192", and by adding at the end of said section the following "Director of division of fish and game 8,855 10,192.

Amend section 10 by inserting at the end thereof the following new paragraph: V. RSA 206, 1, 2, 3 and 8 relating to the fish and game commission and the director of fish and game are hereby repealed.

(discussion ensued)

At the request of Mr. King of Manchester, Mr. Bowles of Portsmouth explained the amendment.

Mr. Willey of Campton moved that HB 345 with pending amendment be made a Special Order for 11:01 on Wednesday next and spoke in favor of the motion.

Mr. Goode of Manchester spoke against the motion.

On a *viva voce* vote the motion was lost.

The question now being on the amendment as offered by Mr. Hill of Littleton.

In answer to a parliamentary inquiry, the Chair ruled that the motion to lay the bill on the table was out of order.

Mr. Daniel moved that the amendment be laid upon the table.

The Chair ruled the member from Franklin out of order as the amendments could not be laid upon the table or indefinitely postponed.

Mr. Daniell of Franklin moved that HB 346 be indefinitely postponed and spoke in favor of the motion.

Messrs MacIsaac of Laconia, Chandler of Bartlett, Shepard of Londonderry, Bowles of Portsmouth, Audet of Concord, Jenkins of New Castle, Mahoney of Manchester, Hill of Conway, Peterson of Peterborough and Goode of Manchester spoke against the motion.

(discussion ensued)

Messrs. O'York of Dover, Pillsbury of Manchester, King of Manchester, Rollins of Alton, Willey of Campton, Bradley of Thornton, Oliver of Marlborough, Watson of Belmont and Mrs. DeLude of Unity spoke in favor of the motion.

(discussion ensued)

Mr. Hambleton of Goffstown moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

Mr. Shepard of Londonderry demanded the Yeas and Nays and the roll was called as follows:

YEAS 178

ROCKINGHAM COUNTY: Griffin, Gay, Scott of Derry, Weeks, Spollett of Hampstead, Clark of Kingston, Sewall, Twardus, McDaniel, Palmer, Driscoll, Keefe, Ingraham, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Grimes, O'York, Bevan, Heald, Littlehale, Drew, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Potvin, St. Pierre, Johnson of Rochester, Varney, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Harkins, Normandin, Urie, Howe.

CARROLL COUNTY: Nickerson of Tamworth, Claflin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Hanson, Moore, York, Davis of Concord, Henry, Gibson, Bingham, Lovejoy, Peaslee, Gove, Newell of Concord, McKay, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Carpenter, Brown of Loudon, Thompson of Northfield, Plourde, Thi-beault, Tarrant.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Farwell, Pickering, Claveau, Gallagher, Provencal, Lang, Pettigrew, Pillsbury, Bruton, Hayes, Burke, Cullity, Manning, Walsh, Casey, Clancy, O'Conner, Lafrance, Compagna, Cote, Craig, Delisle, Healy of Manchester, Ward 8; Morris, Belanger, Bergeron, King, Hurley, Noel, Lemay, Levasseur, Nalette, Lesmerises, Rousseau, Crowley, Gamache, Vachon, Falconer, Buckley, Belcourt, Kirkorian, Brosnahan, Maynard, Pappagianis, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Sabluski, Bouthillier, Locke, Draper.

CHESHIRE COUNTY: Gowing, Clark of Harrisville, Stearns, Cournoyer, Desmarais, Bennett, Faulkner, Kretowicz, Oliver, Crain, Congdon.

SULLIVAN COUNTY: Frizzell, Cann, Gaffney, Prudhomme, Nahill, Barrows, D'Amante, Desnoyer, Bailey, Downing, Vaughan, DeLude.

GRAFTON COUNTY: Paquette, Willey, Morse, Hayward of Hanover, Coutermarsh, Demers, Haskins, Kinghorn, Bell, Loizeaux, Barney, Bradley, Anderson.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Graham, Kimball of Jefferson, Bushey, Brooks, Stinson.

NAYS 183

ROCKINGHAM COUNTY: White of Atkinson, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Kimball of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Cassa, Shepard, Jenkins, Hislop, Cheney, Carter, Bowles, Murch, Stafford, Dame, Osborn, Chandler of Portsmouth, White of Portsmouth, Ward 4; Carkin, Cross, Langford, Greene of Rye, Magoon, Roulston, Felch.

STRAFFORD COUNTY: Stonemetz, Colbath, Karkavelas, Richardson, Flanagan, Gilman of Farmington, Clark of Lee, Watson of Rochester, Clement, Green of Rollinsford, Maloomian, Wyatt.

BELKNAP COUNTY: Matheson, Lord, Robertson, Lacaille, McCarthy, Ayre, Prescott, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Joslyn.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Brown of Sandwich, Kurth, Fox.

MERRIMACK COUNTY: Asby, Hutchinson, Allen of Concord, Audet, Hancock, Seamans, Quinn, Sanders, Barnard, Welch, Jennings of Concord, Rufo, Brown of Danbury, Stevens, Broek, Mulaire, London, Brewster, Keith, Bigelow.

HILLSBOROUGH COUNTY: Wiggin of Bedford, Aucella, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffs-

town, Taft, Eaton, Brocklebank, Warren, Ainley, Soucy, Goode, Mahony, Hart, Nolan, Linehan, Szelog, Dupont, Tessier, Cary, Roche, Dumas, Allard, Daniel of Manchester, Deans, Cole, Cooper, Milliken, Underhill, Sullivan, Lavallee, Karnis, Peabody, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, Watkinson, Turner, Keating, Terrill, Parker, Miskelly, Allen of Rindge, Hackler, Ballam, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Campbell, Guest, Weber, Williamson, Spalding, Merrifield.

GRAFTON COUNTY: Gilbert, Stevenson, Plumer, Chandler of Canaan, Johnson of Franconia, Gage, Bowler, Low, LaMott, Larty, Karsten, Adams of Lebanon, Beard, Porter, Whipple, McGee, Collyer, Burrill, Hill of Littleton, Martin, Cushman, Avery, Berringer.

COOS COUNTY: Ledoux, Marsh, Oakes, Emerson, Crockett, Bragg, Shute, Potter of Northumberland, Converse, Taylor of Whitefield.

PAIRS

Mrs. Neale of Hanover voting Yes, paired with Mr. Hazeltine of Merrimack voting No.
and the motion to indefinitely postpone was lost.

The question now being on the amendment as offered by Mr. Hill of Littleton.

Messrs Goode of Manchester, Bowles of Portsmouth spoke in favor of the amendment.

Messrs Craig of Manchester, Gilman of Farmington, Watson of Belmont and Pillsbury of Manchester spoke against the amendment.

(discussion ensued)

Mr. Chandler of Bartlett spoke in favor of the amendment.

Mr. Pillsbury of Manchester demanded the Yeas and Nays and the roll was called as follows:

YEAS 174

HILLSBOROUGH COUNTY: Wiggin of Bedford, Aucella, Bartlett, Jennings of Goffstown, Nickerson of Goffstown, Taft, Eaton, Brocklebank, Warren, Ainley, Soucy, Goode, Mahony, Hart, Nolan, Linehan, Dupont, Tessier, Cary, Roche, Dumas, Allard, Daniel of Manchester, Deans, Cole, Cooper, Milliken, Underhill, Sullivan, Lavallee, Karnis, Peabody, Peterson, Rice, Eastman of Weare, Draper.

CHESHIRE COUNTY: Totman, Watkinson, Turner, Stearns, Keating, Terrill, Parker, Allen of Rindge, Hackler, Ballam, Gallo way, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Guest, Weber, Williamson, Spalding.

GRAFTON COUNTY: Gilbert, Stevenson, Plumer, Chandler of Canaan, Johnson of Franconia, Gage, Bowler, Low, Lamott, Larty, Karsten, Adams of Lebanon, Beard, Porter, Whipple, McGee, Collyer, Burrill, Hill of Littleton, Cushman, Avery, Berringer.

COOS COUNTY: Ledoux, Marsh, Oakes, Emerson, Crockett, Bragg, Shute, Potter of Northumberland, Converse, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Kimball of Derry, White of Derry, Nickerson of East Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Cas-sassa, Shepard, Jenkins, Hislop, Cheney, Carter, Bowles, Murch, Stafford, Osborn, Chandler of Portsmouth, White of Ports-mouth, Ward 4; Carkin, Cross, Langford, Greene of Rye, Ma-go on, Roulston, Felch.

STRAFFORD COUNTY: Stonemetz, Colbath, Karkavelas, Rich-ardson, Flanagan, Clark of Lee, Watson of Rochester, Green of Rollinsford, Maloomian.

BELKNAP COUNTY: Matheson, Lord, Robertson, Lacaillade, McCarthy, Ayre, Prescott, Stothart, Dulac, O'Shan, Jones, Mac-Isaac, Allan of Meredith, Smith, Joslyn.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Tay-lor of Ossipee, Brown of Sandwich, Kurth, Fox.

MERRIMACK COUNTY: Asby, Hutchinson, Allen of Concord, Audet, Hancock, Quinn, Sanders, Barnard, Welch, Jennings of Concord, Rufo, Brown of Danbury, Stevens, Broek, Mulaire, London, Brewster, Keith, Bigelow.

NAYS 186

HILLSBOROUGH COUNTY: Bragdon, Edwards, Farwell, Pickering, Claveau, Gallagher, Provencal, Lang, Pettigrew, Pillsbury, Bruton, Hayes, Burke, Cullity, Manning, Szelog, Walsh, Casey, Clancy, O'Conner, Lafrance, Compagna, Cote, Craig, Delisle, Healy of Manchester, Ward 8; Morris, Belanger, Bergeron, King, Hurley, Noel, Lemay, Levasseur, Nalette, Lesmerises, Rousseau, Crowley, Gamache, Vacon, Falconer, Buckley, Belcourt, Kirkorian, Brosnahan, Maynard, Pappagianis, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Sablusk, Bouthillier, Locke.

CHESHIRE COUNTY: Gowing, Clark of Harrisville, Cournoyer, Desmarais, Bennett, Faulkner, Miskelly, Kretowicz, Oliver, Crain, Congdon.

SULLIVAN COUNTY: Frizzell, Cann, Gaffney, Prudhomme, Campbell, Nahill, Barrows, D'Amante, Desnoyer, Bailey, Downing, Vaughan, Merrifield, DeLude.

GRAFTON COUNTY: Paquette, Willey, Morse, Hayward of Hanover, Coutermarsh, Demers, Martin, Haskins, Kinghorn, Bell, Loizeaux, Barney, Bradley, Anderson.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Graham, Kimball of Jefferson, Bushey, Brooks, Stinson.

ROCKINGHAM COUNTY: Griffin, Gay, Scott of Derry, Weeks, Spollett of Hampstead, Clark of Kingston, Sewall, Twardus, McDaniel, Palmer, Driscoll, Keefe, Dame, Ingraham, Barker, Waterhouse.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Grimes, O'York, Bevan, Heald, Littlehale, Drew, Gilman of Farmington, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Potvin, St. Pierre, Johnson of Rochester, Clement, Varney, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Harkins, Normandin, Urie, Howe.

CARROLL COUNTY: Nickerson of Tamworth, Chamberlain, Claflin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Hanson, Moore, York, Davis of Concord, Henry, Gibson, Bingham, Seamans, Lovejoy, Peaslee, Newell of Concord, McKay, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Carpenter, Brown of Loudon, Thompson of Northfield, Plourde, Thi-beault, Tarrant.

PAIRS

Mr. Hambleton of Goffstown voting Yes, paired with Mr. Ecker of Manchester voting No.

Mr. Leclerc of Manchester voting Yes, paired with Mr. Chapdelaine of Manchester voting No.

Mr. Hazeltine of Merrimack voting Yes, paired with Mrs. Neale of Hanover voting No.

and the amendment was lost.

Mr. Williamson of Goshen offered the following amendment and moved its adoption.

Amend RSA 12-A:6 as inserted by section 3 of the bill by adding at the end thereof the following: The advisory commission shall approve all policy matters which directly or indirectly affect the pledging of the full faith and credit of the state.

The Clerk read the amendment in full.

Mr. Williamson of Goshen explained the amendment.

Mr. Clement of Rochester spoke against the amendment.

Mr. Williamson of Goshen spoke a second time in favor of the amendment.

(discussion ensued)

Mr. Bowles of Portsmouth spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

The question now being, shall the bill be read a third time.

On a *viva voce* vote the bill was ordered to a third reading.

Committee of Conference Report

The Committee of Conference to which was referred Senate Bill 98, An Act relative to mufflers on motor vehicles, having considered the same, report the same with the following recommendation:

That the Senate recede from its position of non-concurrence and that the House recede from the adoption of its amendment and that the Senate and House adopt the following amendment:

Amend paragraph IV of section 1 of the bill by striking out the last sentence, so that said paragraph as amended shall read as follows:

IV A muffler is a device consisting of a series of chambers, or baffle plates, or other mechanical design for the purpose of receiving exhaust gases and effectively reducing noise.

Further amend said bill by inserting after section 1 thereof the following new section.

2 There is hereby established a committee consisting of five members: one to be appointed by the President of the Senate, two to be appointed by the Speaker of the House and two to be appointed by the Governor. Said committee is hereby authorized, empowered and directed to study the advisability of defining excessive noise on the basis of decibels and the accuracy, efficiency and reliability of a sound meter so calibrated in relation to motor vehicle exhaust noises and to report its findings to the 1963 General Court.

Further amend said bill by renumbering section 2 to read 3.

Russell G. Claffin
Harold L. Barnard
James Pettigrew

Conferees on the part of the House:

Frank T. Buckley
Laurier Lamontagne

Conferees on the part of the Senate:

On a *viva voce* vote the report was adopted.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 24, reclassifying certain highways in Rollinsford.

SB 134, relating to La Caisse Populaire Ste. Marie or St. Mary's Bank.

Senate Bills Read and Referred

SB 24, to Public Works.

SB 134, to Banks.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 210, relative to cooperative school districts.

Amend said bill by inserting after section 4 thereof the following new section:

5 Apportionment. Amend RSA 195:8 by striking out in line five thereof the words and figures "or formula II" and inserting in place thereof the following, II or III, so that said section as amended shall read as follows:

195:8 Five-Year Period Reconsideration. At the expiration of the first five-year period and at the expiration of each subsequent five-year period the basis for the apportionment of all such costs shall be subject to review, and the cooperative district may then by majority vote elect to apportion all such costs by the adoption of either formula I, II or III, as defined in section 7.

Further amend said bill by renumbering section "5" to read, 6.

Further amend said bill by inserting after "6" in line one of the above remembered section 6 of said bill the following, Budgets. Amend RSA chapter 195 by inserting after section 12 thereof the following new section 12-a, I. Further amend said

renumbered section 6 by inserting in line 16 thereof before the word "Powers" the following, II. So that said section as amended shall read as follows:

6 Amend RSA chapter 195 by inserting after section 12 thereof the following new section 195:12-a, I. Budget Committee. Any cooperative school district may at any annual meeting under a proper article in the warrant vote to establish a cooperative school budget committee and may rescind such action in like manner. The membership on said committee shall be determined on the basis of the annual amount contributed by each preexisting or component district for the expenses of the cooperative district. There shall be one member of the budget committee for the smallest contributor to the cooperative district and the membership from other districts shall be in proportion to their respective contributions, excluding the fractional parts. If the component districts continue to have their own annual school meetings the members of said committee shall be elected at said meetings. In all other cases the members of said committee from each preexisting district shall be elected at the annual cooperative school district meeting. II. Powers and Duties. Such cooperative school budget committee shall have the powers and duties of the municipal budget committee under the provisions of RSA 32 in so far as the budget for the cooperative school district is concerned.

On motion of Mrs. Greene of Rye reading of the amendment was dispensed with. Mrs. Greene explained the amendment.

On motion of Mrs. Greene of Rye the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following concurrent resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

Resolution Anent Mr. Geddes.

Amend said resolution by striking out paragraph seven thereof and inserting in place the following:

Be It Further Resolved that a committee, consisting of a member of the House of Representatives appointed by the Speaker, a member of the Honorable Senate appointed by the

President, and a member of the Public at Large, appointed by the Governor be instructed to make recommendations to the Director of the Division of Recreation for a suitable plaque and the installation thereof.

On a *viva voce* vote the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 63, (In New Title and New Draft) providing for seasons for the taking of deer.

and the President has appointed as members of said Committee on the part of the Senate:

Senator Drake and Senator Caron.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 291, in relation to discharging firearms.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 50, relative to special fish and game licenses for non-resident members of the armed forces of the United States.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 9, relative to payment of expenses of the 1959 session of the Constitutional Convention.

HB 19, providing funds for the perambulation of the Maine-New Hampshire boundary line.

HB 81, extending the provisions of law relative to an accelerated highway and construction and improvement program.

HJR 17, in favor of Rita Collyer.

HJR 41, providing funds for purchase of certain equipment for the office of the secretary of state.

Concurrent Resolution

Mrs. DeLude of Unity offered the following concurrent resolution:

Whereas, July 2, 1962, marks the centennial of legislation providing for the establishment of the national system of land-grant colleges and state universities, and

Whereas, the State of New Hampshire has been the beneficiary of the extensive services of its land-grant institution through the University of New Hampshire, and

Whereas, there has been established national recognition of the celebration of the Centennial of this historic Act by the United States Congress, now therefore be it

Resolved, by the House of Representatives, the Senate concurring:

That we, the members of the New Hampshire Legislature in General Court convened, participate in suitable statewide observance during the academic year 1961-62 for the 100th anniversary of the signing of the Land-Grant Act by President Abraham Lincoln.

On a *viva voce* vote the concurrent resolution was adopted.

Mr. Bingham and Mr. Seamans of Concord offered the following resolutions for the Concord Delegation:

Whereas, we have learned of the passing of our former fellow member, Clarence E. Lessels of Ward 5, Concord, and

Whereas, Mr. Lessels served his ward, city and county in several capacities during his life time, therefore be it

Resolved, that we, the members of the House of Representatives in General Court convened, do hereby extend to the family of the late Mr. Lessels our sincere sympathy and be it further

Resolved, that the Clerk of the House transmit a copy of these resolutions to Mrs. Lessels.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Pappagianis of Nashua offered the following resolutions for the Nashua Delegation:

Whereas, Gerard Maynard, son of Albert Maynard, Representative from Nashua, has passed away, therefore be it

Resolved, that we, the members of the House of Representatives of the New Hampshire General Court, extend our sympathy to Representative Maynard and his family in their bereavement, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Representative Maynard.

On a *viva voce* vote the resolutions were unanimously adopted.

The Chair introduced former Speaker of the House Douglas Scamman who addressed the House briefly.

On motion of Mr. King of Manchester the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to permit third reading of bills by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Third Readings

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 120, relative to jurisdiction of director of tobacco products division.

SB 74, relative to completion of state highway project in the town of Andover.

SB 117, to repeal Chapter 264, of the Laws of 1921.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 346, establishing a department of resources and economic development merging therein planning and development, forestry, recreation, and transferring thereto for limited purposes the water resources board and the New Hampshire state port authority.

Reconsideration

Mr. Goode of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 346 and spoke against the motion.

On a *viva voce* vote the motion was lost.

Third Readings (cont.)

HB 58, establishing a division of records management and archives.

HB 412, relative to additional grants of school building aid.

HB 363, relative to education for intellectually retarded children.

HB 47, amending the benefits payable upon retirement.

HB 280, relative to a civil defense fire and rescue training center.

HB 402, relative to credit unions.

HB 295, relative to future water supplies for the city of Manchester.

On motion of Mrs. DeLude of Unity the House adjourned at 4:59 o'clock.

TUESDAY, JUNE 13, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, Reverend George Pennington:

We Pause to honor, at his passing, the Honorable Francis P. Plante of Manchester and we pray that his family may be strengthened by faith.

O God, bless our Governor, his Council and the members of our General Court with more enthusiasm for the great opportunities of their work than caution for its pitfalls, for we know that while their shortcomings will be amplified by many who lie in wait, their strengths and deeds of service will continue to enrich our people long after they have departed. So we invoke Thy spirit on all men and women who are engaged in public service in our Granite State and pray that they may be more mindful of their high calling than fearful of pressures placed upon them. Amen.

Pledge of Allegiance to the Flag

Mr. Quinn of Concord led the Convention in the Pledge of Allegiance to the Flag.

House

The Chair introduced the following groups as guests of the House today:

A group of students from the Elementary schools from Hebron and Groton.

The freshman class of St. John's High School of Concord, courtesy of Mr. Quinn of Concord and the Concord Delegation.

Leaves of Absence

Mrs. Neale of Hanover was granted a leave of absence for the week on account of illness.

Mr. Hancock was granted a leave of absence for today and tomorrow on account of important business.

Mr. Allard of Manchester was granted a leave of absence for the week on account of a death in the family.

Mr. Bowler of Hanover was granted a leave of absence for the week on account of important business.

Messrs. Rosedoff of Nashua and Low of Hanover were granted a leave of absence for the day on account of important business.

Reconsideration

Mr. Chandler of Bartlett served notice that today, or some subsequent day, he would request the House to reconsider its vote whereby it passed SB 74, relative to completion of state highway project in the town of Andover.

First and Second Reading of House Bills

HB 485, relative to sale of beverages on Sundays by off-sale permittees (D'Amante of Claremont) to Liquor.

HJR 42, relative to funds for improvements at Chandler's Cove (Rules Committee — London of New London and Merri-field of Sunapee) to Resources, Recreation and Development.

Committee Reports

Mr. Gibson of Concord for the Committee on Finance, HB 451, relative to maintenance allotment by the state for Class IV and V highways. Ought to pass with amendment.

Amend section 2 of the bill by striking out in the first and second lines the words "sixty days after its passage" and inserting in place thereof the word and figures, July 1, 1964, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect July 1, 1964.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. London of New London for the Committee on Judiciary, HB 476, changing the name of the New Hampshire Tuberculosis Association. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Hambleton of Goffstown for the Committee on Banks, HB 403, authorizing the establishment of a branch bank in Goffstown. Ought to pass.

Mr. Hambleton of Goffstown spoke in favor of the bill.

Mr. Nickerson of Goffstown moved that HB 403 be referred to the Legislative Council for further study and spoke in favor of the motion.

(discussion ensued)

Messrs. Urie of New Hampton, Pickett of Keene and Bigelow of Warner spoke against the motion.

(discussion ensued)

Messrs. Geisel of Manchester, Jennings and Bartlett of Goffstown spoke in favor of the motion.

Mr. Hambleton of Goffstown spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Nickerson of Goffstown requested a division.

117 members having voted in the affirmative and 160 members in the negative the motion was lost.

Mr. Nickerson of Goffstown offered the following amendment and moved its adoption.

That whenever the word "Goffstown" appears on said bill, that the words "any town or city" be substituted for the word "Goffstown", so that the amendment shall read:

(1 Branch Authorized) Any trust company, mutual savings bank or guaranty savings bank now or hereafter organized and existing under the laws of the state of New Hampshire and authorized to engage in the business of banking within the county may apply to the bank commissioner for permission to establish and operate a single bank in any town or city praying for a decision of the question whether the public convenience and advantage will be promoted by the establishment of such branch.

(2 Special Board) Upon receipt of such application the bank commissioner shall notify the governor that an application is pending relative to the establishment of a branch bank in any town or city. The governor shall then appoint three residents of any town or city to serve with the bank commissioner and the attorney general as a special board to hear evidence relative to such application and question and to make a decision thereon. No member of this board shall receive any compensation for services on this board. The board shall name a chairman and a clerk and shall establish its own rules of procedure. All expenses incurred by said board shall be paid out of the appropriation for bank commissioner.

(3 Hearing) The special board shall set a date for a public hearing on such application. Said public hearing shall be held in any town or city. A notice of the hearing in such form as said board shall approve shall then be published at least once a week for three successive weeks in one or more newspapers published within the county, one of which shall be a newspaper published in the town or city, if there be such, the first publication to be within thirty days after the appointment of three members of the board by the governor.

(4 Form of Notice) Such notice shall specify the name of the applicant, the location of its principal place of business and the time and place of the hearing, at which the public and all persons interested may be heard upon such application and question.

(5 Decision) The board shall thereafter decide the question and make a record of its decision. If the decision is in the affirmative the bank commissioner shall issue a certificate to such banking corporation authorizing the establishment and operation of such branch. If such banking corporation does not establish and have in operation such branch within six months from the date of said certificate such certificate and authorization shall become void.

(6 National Banks) Nothing in this act shall limit or restrict any national bank existing and authorized to do business in any county from establishing a branch in any town or city in conformity with the laws of the United States governing national banks.

(7 Limitation) Nothing in this act shall be construed as conferring upon any banking corporation, whether organized and existing under the laws of this state or of the United States, authority to establish and operate a branch within this state except as expressly provided herein.

(8 Takes Effect) This act shall take effect sixty days after its passage.

The Clerk read the amendment in full.

Mr. Nickerson spoke in favor of the amendment.

Mr. Bigelow of Warner and Mr. Hambleton of Goffstown spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Nickerson of Goffstown moved that HB 403 be indefinitely postponed and spoke in favor of the motion.

On a *viva voce* vote the motion was lost, and the bill was ordered to a third reading.

Mr. Urie of New Hampton moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

On a *viva voce* vote the motion was adopted.

Mr. Urie of New Hampton for the special Committee consisting of the members from the county of Belknap, SB 139, increasing the salary of the Belknap county attorney. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Personal Privilege

Mr. Daniell of Franklin rose on a point of personal privilege.

Report of Committee on Engrossed Bills

Mrs. Ayre of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolution:

HB 81, extending the provisions of law relative to an accelerated highway and construction and improvement program.

HB 345, providing for control of aquatic nuisances on Lake Winnisquam.

HB 417, relative to reclassification of roads in Colebrook and Stewartstown and the East Side River Road in the town of Milan.

SB 101, prohibiting use of certain boats in Abbott Forest pond in Stoddard.

SB 120, relative to jurisdiction of director of tobacco products division.

SB 129, relative to the department of employment security.

SB 130, relative to notice to department of employment security of licensed employment offices.

HJR 30, providing special equipment to be used in searching for lost persons.

HB 50, relative to special fish and game licenses for non-resident members of the armed forces of the United States.

HB 436, authorizing cities and towns to construct moving sidewalks.

HJR 13, authorizing a study of the operation of the milk control act.

HJR 16, in favor of Wilbur J. Little.

HJR 17, in favor of Rita Collyer.

HB 9, relative to payment of expenses of the 1959 session of the constitutional convention.

HB 19, providing funds for the perambulation of the Maine-New Hampshire boundary line.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 117, to repeal Chapter 264 of the Laws of 1921. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to highways in the town of Goffstown.

On motion of Mr. Galloway of Walpole the House concurred in the amendment.

Mr. Bigelow of Warner for the Committee on Engrossed Bills, HB 366, relative to motor vehicle sales finance. Ought to pass with amendment.

Amend RSA 361-A:5 as inserted by section 1 of said bill by striking out the words "justice of the superior court for a proof of such refusal, shall issue" in the twentieth line and inserting in place thereof the following: justice of the superior court who, after proof of such refusal, shall issue

On motion of Mr. Bigelow of Warner the House concurred in the amendment.

Senate Messages

A Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 133, relative to certain deposit accounts in savings banks.

Amend the bill by inserting after the section numbered 386:47 as inserted by section 1 of the bill the following.

Bonus Account Deposits

386:48 Authorization. Without limiting the authority and powers contained in the general laws or their respective charters and the by-laws enacted pursuant thereto, savings banks may, if their trustees so determine, accept and receive deposits to be known as bonus account deposits, subject to the provisions of this subdivision.

386:49 Bonus Account Agreements. Any such deposits shall be received subject to a written agreement between the corporation and the depositor or the joint depositors, which agreement shall contain the following provisions:

I. The corporation, in addition to its ordinary and any extra dividends, as authorized in section 10 of this chapter, shall, subject to the provisions of said section 10, pay on such deposits a bonus dividend at such time and rate as is hereinafter provided, on condition that the depositor or joint depositors shall on or before a designated day in each month for a period of at least forty-eight months deposit with the corporation a specified monthly amount, not less than ten dollars, without a delay of more than thirty days or anticipation of more than three months in the deposit of any monthly amount, without the withdrawal of the whole or any part of such deposits or any ordinary or extra dividends declared thereon and without the taking of any loan from such corporation secured by such deposits under RSA 387:5.

II. If the depositor or joint depositors shall make ninety-six monthly deposits in accordance with the conditions of such agreement such bonus dividend shall be at a specified rate not exceeding one per cent per annum and shall be paid either on the designated day in the ninety-sixth month or on the day upon which the ninety-sixth monthly deposit is made, whichever is later.

III. If the depositor or joint depositors, after having made at least forty-eight but before having made ninety-six monthly deposits in accordance with the conditions of such agreement, shall withdraw all or any part of such deposits or any ordinary or extra dividends declared thereon, or shall fail on or before the expiration of the thirtieth day following the designated day in any month to deposit with the corporation the monthly amount specified therein, or shall receive from such corporation a loan secured by such deposits under RSA 387:5, such bonus dividend shall be at a specified rate not exceeding one-half per cent per annum and shall be paid on the day of such withdrawal, such failure to deposit, or the receipt of such loan.

IV. Upon the payment of a bonus dividend or upon the failure by the depositor or joint depositors to comply in any respect with the conditions of such agreement prior to making at least forty-eight monthly deposits, such deposits or the remainder thereof shall thereupon cease to be entitled to earn or be paid any bonus dividend and, within thirty days thereafter, shall be transferred by such corporation to and held by such corporation until withdrawn in, a deposit account which shall not be subject to any bonus account agreement, shall not earn or be paid any bonus dividend, and, for the purpose of determining eligibility for any ordinary and extra dividends which may thereafter be declared, shall be treated as having been on deposit in an account not subject to any bonus account agreement since the date or dates on which such deposits were made.

386:50 Deposit Books. Each deposit book or other evidence of deposit received under this subdivision shall contain, either in original text or by stamp inserted, the title "Bonus Account" and shall also plainly set forth the sentence: "No bonus dividend shall be earned if the depositor fails to make at least forty-eight monthly deposits in compliance with the conditions of the bonus account agreement."

Further amend said bill by striking out section numbered 386:50 as inserted by section 1 of the bill and inserting in place thereof the following:

386:50 Rate and Computation. Additional dividends on special notice account deposits shall be at such rate, not less than one-eighth nor more than one-half of one per cent per annum, as the trustees shall determine. Bonus dividends on bonus account deposits shall be at the rate specified in the applicable bonus account agreement. If not withdrawn, additional dividends on special notice account deposits shall be treated as deposits added to the account upon which declared and, in computing the dividend next following, shall be considered as having been on deposit for the preceding dividend period. If not withdrawn, bonus dividends on bonus account deposits shall be treated as deposits added to the account upon which paid and, in computing the dividend next following, shall be considered as having been on deposit since the date upon which such bonus dividends became due.

Further amend section 1 of the bill by renumbering sections 386:48, 386:49 and 386:50 to read 386:51, 386:52 and 386:53 respectively.

On motion of Mr. Bigelow of Warner reading of the amendment was dispensed with.

Mr. Bigelow of Warner explained the amendment.

On motion of Mr. Bigelow of Warner the House concurred in the Senate amendments.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 119, relative to medical assistance for the aged.

SB 91, to amend the teachers retirement system.

SB 140, relative to trespassing on uncultivated land.

SB 136, relative to the study of Americanism in schools.

Senate Bills Read and Referred

SB 119, to Joint Appropriations and Public Health.

SB 91, to Executive Departments and Administration.

SB 140, to Judiciary.

SB 136, to Judiciary.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 345, providing for control of aquatic nuisances on Lake Winnisquam.

HJR 30, providing special equipment to be used in searching for lost persons.

HB 417, relative to reclassification of roads in Colebrook and Stewartstown and the East Side River Road in the town of Milan.

HB 407, relative to certain deposit accounts in savings banks.

Supreme Court Communication

To the House of Representatives:

The Justices of the Supreme Court make the following reply to the request contained in your resolution of June 2, 1961 relating to House Bill No. 108, entitled "An Act relative to the Town of Hampton Municipal Development Authority."

House Bill No. 108 would amend numerous provisions of existing law found in Laws of 1959, *c.* 412, which created the "Town of Hampton Marsh Reclamation Authority." In essence, the bill would change the name of this Authority to "Town of Hampton Municipal Development Authority"; would elaborate upon the legislative findings of public necessity contained in the 1959 act; would more specifically define the area to be affected; and would prolong the corporate existence of the Authority, and enlarge its powers to embrace the powers of a housing authority granted by RSA ch. 205, in addition to those specifically granted to it by the original act as amended by the bill. The bill would further elaborate upon the procedures incident to establishment of a project for development; would revise procedures relating to the disposition of property acquired by the Authority; would modify provisions relating to the issue of bonds; and finally would au-

thorize the State to guarantee the bonds of the Authority and authorize the Town of Hampton on vote of its inhabitants to enter into contracts with the Authority to furnish it financial assistance in paying its bonds to be supported by pledge of the full faith and credit of the town to the payment of annual contributions for that purpose.

Your first two questions present the issue of whether projects contemplated by the bill, for the development or redevelopment of marshlands in Hampton, would be public uses, so that the Legislature may authorize the expenditure of public funds for that purpose, without violation of the provisions of *Art. 12th, Pt. I* and *Art. 4th, Pt. II* of the Constitution of New Hampshire and the Fourteenth Amendment to the Constitution of the United States. Since Article 4th of Part II referred to in your first inquiry relates to the establishment of courts, while Article 5th, Part II contains provisions relating to the use of public funds for private ends, we assume that the latter article of the Constitution rather than the former was intended to be specified by your first question.

The provisions of the proposed bill, in conjunction with those of the existing law which it would amend, disclose a purpose which is closely allied to that of the legislation relating to "Redevelopment Projects" which was before this court in *Velishka v. Nashua*, 99 N. H. 161. Thus section 9 of the bill, would grant to the Hampton Authority the powers granted to housing authorities by that same legislation, which now appears in RSA ch. 205. The questions of whether such redevelopment projects are for public uses, and whether public moneys may constitutionally be used for such a purpose were thoroughly considered and affirmatively answered in that opinion, to which you are respectfully referred. Views there expressed were recently confirmed in an opinion returned to you on April 4, 1961. *Opinion of the Justices*, No. 4928, 169 A. 2d 634.

The circumstance that the area involved in the redevelopment proposed by House Bill No. 108 would be within a single town, does not affect the applicability of the views expressed in the cited opinions. *State v. 4.7 Acres of Land*, 95 N. H. 291, 295; *Shirley v. Commission*, 100 N. H. 294, 297. Your first two inquiries are accordingly answered in the affirmative.

Your third and fourth inquiries raise the question of whether the Legislature may constitutionally authorize the State to guarantee indebtedness to be incurred by the Authority for the purposes of the amended act as provided by section 22 of the bill, and whether it may similarly authorize the town of Hampton to enter into contracts for financial assistance to the Authority to be supported by pledges of the full faith and credit of the town, as would be provided by section 21 of the bill.

The constitutional validity of the proposal to authorize guaranty by the State of indebtedness of the Authority does not appear to us to be in doubt. *Opinion of the Justices*, No. 4928, 169 A. 2d 634, *supra*, and opinions cited therein. Nor do we perceive any constitutional objection to authorizing the town which will receive special benefits from the legislation to share the expense. *Leavitt v. North Hampton*, 98 N. H. 193. The Legislature has plenary control over the powers of towns, and the establishment of their debt limits. *State v. Goffstown*, 100 N. H. 131; *Welch v. Reed*, 100 N. H. 174. See *Opinion of the Justices*, 101 N. H. 544.

Your final inquiry reads as follows: "Is it constitutionally competent for the General Court to permit or require the reclaimed real property be first offered for sale to the owners from which real property was originally taken by the Town of Hampton Reclamation Authority as provided in section 5 (b) as amended by said bill?"

"Section 5 (b) as amended by said bill" appears to be an inaccurate reference. We are informed however that a proposal has been made to insert after line 490 in section 14 of the bill a new subsection 15 (b) in the form reproduced at the foot of this opinion.¹ We accordingly relate our reply to that proposal.

The inquiry presupposes that property acquired for a redevelopment project is in order for disposal by the Authority for private development or redevelopment according to the project plan. The proposed amendment of the bill would allow such property to be offered to former owners within the project area in proportion to the area of their former holdings. This proposal appears to us to contemplate a classification of prospective purchasers which would be neither arbitrary nor discriminatory, but might reasonably be thought to rest upon

equitable and substantial considerations. *Woolf v. Fuller*, 87 N. H. 64, 72, 73. Hence we see no reason to hold that the proposed amendment to the bill would violate the Constitution if enacted, or that it would fall without the constitutional competency of the Legislature to enact. Your fifth question as related to the proposed amendment to the bill is answered in the affirmative.

Frank R. Kenison
Laurence I. Duncan
Amos N. Blandin, Jr.
Edward J. Lampron
Stephen M. Wheeler

June 12, 1961.

¹(b) The final plan may provide that real property in a project area to be sold for development or redevelopment in accordance with such plan, shall first be offered to the owners in fee simple of real property in that project area from whom land was acquired by the authority. Such offer or offers shall be made under such procedure and in such manner as the authority shall determine provided at least thirty days' notice of such offer and of its expiration date shall be given by publication. No such former owner shall be entitled by virtue of this sub-section to an offer for a larger proportion of the area so to be sold by the authority than is represented by the proportion the area of such former owner's land bears to the total project area. Nothing in this paragraph (b) shall require the authority to offer property for sale at less than its highest marketable value or to reduce or change the size of any lot or otherwise to take action which would be inconsistent with the general purposes of the final plan.

Resolutions

Messrs. King, Dupont, Craig, LaFrance, Leclerc, Tessier and Nalette of Manchester offered the following resolutions:

Whereas, we have been saddened by the passing of our fellow member, Francis P. Plante of Ward 7, Manchester, and

Whereas, Mr. Plante served his ward, city and county with distinction, therefore be it

Resolved, that we, the members of the House of Representatives in General Court convened, do hereby extend to

his widow, Mrs. Francis P. Plante, our sincere sympathy and be it further

Resolved, that the Clerk of the House transmit a copy of these resolutions to Mrs. Plante.

The House arose and stood for one minute of silent prayer. The resolutions were then unanimously adopted.

Mr. Daniel of Manchester, Ward 13, offered the following resolutions:

Whereas, Robert Allard, only son of Edmond Allard, Representative from Manchester, has passed away, and

Whereas, Robert Allard was a World War II Veteran and active in civil circles in Manchester, therefore be it

Resolved, that we, the Members of the House of Representatives of the General Court of New Hampshire from Ward 13, for ourselves and for the other Members of the House, extend our deep sympathy to our Fellow Member and his family in their bereavement, and be it further

Resolved, that the Clerk of the House transmit to Representative Allard a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

The Chair announced that today is the 39th birthday of Mr. Bergeron of Manchester.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

SB 139, increasing the salary of the Belknap county attorney, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 476, changing the name of the New Hampshire Tuberculosis Association.

HB 451, relative to maintenance allotment by the state for Class IV and V highways.

HB 403, authorizing the establishment of a branch bank in Goffstown.

Reconsideration

Mr. Bigelow of Warner, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 403 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

On motion of Mrs. Hayward of Hanover the House adjourned at 1:05 o'clock.

WEDNESDAY, JUNE 14, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Clinton L. Morrill, of St. Paul's church of Concord:

Mindful of the Meaning of Flag Day, we pray:

Almighty God, who hast given us this good land for our heritage; We humbly beseech thee that we may always prove ourselves a people mindful of thy favour and glad to do thy will.

Bless our land with honourable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogance, and from every evil way.

Endue with the spirit of wisdom those to whom in thy Name we entrust the authority of government, that through private lives and public actions the ideals for which this flag flies may be fulfilled in thy sight. Through Jesus Christ our Lord. Amen.

Pledge of Allegiance to the Flag

Mr. Crowley of Manchester led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of 7th and 8th grade students from the Atkinson school.

Mr. Tucker of Stanton, Virginia and Mr. Jackson of Murfreesboro, Tennessee were introduced as guests of the Chair.

His Excellency, Governor Powell, addressed the House concerning pending legislation.

Leaves of Absence

Mr. Brock of Hooksett was granted a leave of absence for the day on account of illness.

Mr. Pinkham of Northwood was granted a leave of absence for the day on account of important business.

Committee Reports

Mr. Waterhouse of Windham for the Committee on Ways and Means, HB 270, relative to motor vehicle registration and license fees. Inexpedient to legislate.

Minority, ought to pass.

Ayre of Laconia
Allen of Rindge
Haskins of Lyme
Hill of Conway
Larty of Haverhill
Thompson of Effingham

Mr. Waterhouse of Windham spoke in favor of the majority report, Inexpedient to Legislate.

Mr. Allen of Rindge moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate and spoke in favor of the motion.

(Mr. Deans of Milford in the Chair)

Messrs. Lamprey of Moultonboro, Clement of Rochester, Chandler of Bartlett, Hill of Conway, Coutermarsh of Lebanon, and Mrs. DeLude of Unity spoke in favor of the motion.

(discussion ensued)

Messrs. Pillsbury of Manchester and Varney of Rochester spoke against the motion.

Mr. Sheridan of Berlin moved that HB 270 be indefinitely postponed and spoke in favor of the motion.

Mr. Galloway of Walpole spoke against the motion.

Mr. Daniell of Franklin spoke in favor of the motion.

(discussion ensued)

Mr. King of Manchester spoke in favor of the motion.

Mr. Waterhouse of Windham requested a division.

Mr. McAllister of Barnstead demanded the Yeas and Nays but subsequently withdrew his request.

241 members having voted in the affirmative and 85 in the negative, the motion to indefinitely postpone prevailed.

Recess

After Recess

(Speaker in the Chair)

Mrs. Berry of Barrington for the Committee on Education, HB 230, relative to liability for education of children in foster homes. Ought to pass with amendment.

Amend section 1 of the bill by adding at the end thereof the following: For the purpose of computing foundation aid in accordance with RSA 198:8-12 for the fiscal years 1961-62 and 1962-63, children placed in "homes for children" in the second preceding year shall be credited in average daily membership to the district in which said home was located, so that said section as amended shall read as follows:

1 School Attendance. Amend RSA 193:18-b (supp), as inserted by 1955, 227:1, by striking out said section and inserting in place thereof the following: 193:18-b Right of Attendance. Whenever any child is placed and cared for in any

home for children, such child, if of school age, shall be entitled to attend the public schools in the school district in which said home is located, unless such placement was solely for the purpose of enabling a child residing outside said district to attend the schools thereof. For the purpose of computing foundation aid in accordance with RSA 198:8-12 for the fiscal years 1961-62 and 1962-63, children placed in "homes for children" in the second preceding year shall be credited in average daily membership to the district in which said home was located.

Mrs. Berry of Barrington answered questions concerning the bill.

Mr. Deming of Danville spoke in favor of the bill.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Berry of Barrington for the Committee on Education, HB 100, relative to education of children placed in homes for children. Inexpedient to legislate, subject matter covered by HB 230 reported favorably.

On a *viva voce* vote the recommendation of the committee was adopted.

Mrs. Demers of Lebanon for the Committee on Education, HB 216, relative to services of supervisory unions. Refer to the Interim Study Committee on Education.

On a *viva voce* vote the recommendation of the committee was adopted.

Mrs. Demers of Lebanon for the Committee on Education, HB 237, relative to cooperative school district incentive aid. Refer to the Interim Study Committee on Education.

On a *viva voce* vote the recommendation of the committee was adopted.

Mrs. Demers of Lebanon for the Committee on Education, HB 364, relative to school attendance. Refer to the Interim Study Committee on Education.

On a *viva voce* vote the recommendation of the committee was adopted.

Mrs. Demers of Lebanon for the Committee on Education, HB 416, relative to members of the Canterbury school board. Refer to the Interim Study Committee on Education.

At the request of Mr. Pillsbury of Manchester, Mrs. Brown of Sandwich explained the recommendations of the committee on referring these bills for study.

On a *viva voce* vote the recommendation of the committee was adopted.

Mrs. Roulston of Salem for the Committee on Executive Departments and Administration, SB 102, establishing a division of boards and commissions within the department of administration and control. Ought to pass with amendment.

Amend paragraph I of RSA 8:52 as inserted by section 3 of the bill by striking out said paragraph and inserting in place thereof the following:

I. Furnish secretarial service to boards and commissions upon request including but not limited to attendance by the clerk at regular and special meetings, taking of minutes, preparation and mailing of notices and such other secretarial services as shall be from time to time requested of the clerk by any board or commission. So far as practicable each board and commission shall accommodate the request of the clerk that its registration dates be changed to effect an even distribution of secretarial work load throughout the year. In the event that two or more boards or commissions have need and make request for secretarial services at the same time it shall be the duty of the clerk to furnish such services and for these purposes the comptroller is hereby authorized to make available additional personnel to the clerk as required. Provided, however, that each board and commission may at any regular or special meeting elect a secretary pro tem for the taking of minutes of such meetings. In such event it shall be the duty of the secretary pro tem as soon as practicable thereafter, subject to the provisions of section 53 of this chapter, to forward the minutes to the clerk of boards and commissions for typing and distribution. Each board and commission may, in its discretion, designate one or more of its members as secretary for purposes of national accreditation and the handling of confidential correspondence. Nothing herein shall be construed to prohibit a member so designated from also acting as secretary pro tem within the authority of this subsection.

Amend RSA 8:53 as inserted by section 3 of the bill by striking out the same and inserting in place thereof the following:

8:53 Confidential Records. Unless otherwise specifically required herein or by other provision of the statutes, the clerk of boards and commissions shall adhere to the policy established by each board and commission with respect to publication of its records. Nothing in this chapter shall be construed to authorize the clerk of boards and commissions to communicate to any other board or commission, or person, any information of a confidential nature disclosed to him in the performance of duties hereunder except as he may be so authorized by a board or commission concerned. Each board and commission may retain in its custody and possession such records as it determines relate to character and personal reputation of a confidential nature.

Amend section 55 of the bill by striking out the same and inserting in place thereof the following:

55 Transfer of Funds and Equipment. Any funds provided in the appropriation acts for the year ending June 30, 1962 and the year ending June 30, 1963, relating to services and facilities transferred to the department of boards and commissions by this chapter are deemed to be appropriated for the same purposes in the new division of boards and commissions established herein. All equipment in the possession of any board or commission used for secretarial purposes including files and records, excepting such files as may be required for records of a confidential nature, is hereby transferred to the department of boards and commissions within the department of administration and control.

Mr. Peterson of Peterborough spoke in favor of the amendments.

(discussion ensued)

Mr. Peterson yielded the floor to Mrs. Roulston of Salem for the purpose of answering questions.

Mr. O'York of Dover moved that SB 102 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mrs. Roulston of Salem spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone was lost.

On a *viva voce* vote the amendment was adopted and the Chair referred SB 102 to the committee on Appropriations under the rules.

Mr. White of Derry for the Committee on Labor, HB 420, relative to unemployment compensation. Ought to pass.

Mr. Angus of Claremont explained the bill.

(discussion ensued)

Mr. Stevenson of Bethlehem offered the following amendment and moved its adoption.

Amend the bill by striking out section 1.

Further amend said bill by striking out section 2 and inserting in place thereof the following:

2 Weekly Benefit Amount. Amend paragraph (1) of RSA 282:2-B (supp) as amended by 1955, 7:1 and 1959, 28:1 by striking out the word "individual" in the first and seventh lines and inserting in place thereof the word, person, and by striking out the word "individual's" in the fifth and tenth lines and inserting in place thereof the word, person's, so that said paragraph as amended shall read as follows: (1) Each eligible person who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in the paragraph on the line on which in column A there is indicated the person's annual wage class except as otherwise provided in paragraph (2) of this subsection. The maximum total amount of benefits payable to any eligible person during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the person's annual wage class except as otherwise provided in paragraph (2) of this subsection.

A	B	C
Total Annual Earnings in Base Period	Weekly Benefit Amount	Maximum Benefits
\$500.00-\$599.99	\$10	\$260
600.00-699.99	11	286
700.00-799.99	12	312
800.00-899.99	13	338
900.00-999.99	14	364

1000.00-1099.99	15	390
1100.00-1199.99	16	416
1200.00-1299.99	18	468
1300.00-1399.99	19	494
1400.00-1499.99	20	520
1500.00-1599.99	21	546
1600.00-1699.99	22	572
1700.00-1799.99	23	598
1800.00-1899.99	24	624
1900.00-1949.99	25	650
1950.00-1999.99	26	676
2000.00-2099.99	27	702
2100.00-2199.99	28	728
2200.00-2299.99	29	754
2300.00-2399.99	30	780
2400.00-2499.99	31	806
2500.00-2599.99	32	832
2600.00-2699.99	33	858
2700.00-2799.99	34	884
2800.00-2899.99	35	910
2900.00-2949.99	36	936
2950.00-2999.99	37	962
3000.00-and over	38	988

Further amend said bill by striking out sections 3 and 4 and by renumbering sections 2 and 5 to read sections 1 and 2.

On motion of Mr. Stevenson reading of the amendment was dispensed with and Mr. Stevenson explained the amendment.

Mr. Guest of Cornish moved that further consideration of HB 420 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mr. Pillsbury of Manchester spoke against the motion and the Stevenson amendment.

(discussion ensued)

Mr. Guest of Cornish withdrew his motion to indefinitely postpone HB 420.

Mr. Angus of Claremont spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Plourde of Pembroke offered the following amendment and moved its adoption.

Amendments offered refer to lines in the printed bill.

Line 26, page 2, strike out the words "each of two" and insert in place thereof the word, one.

Line 27, page 2, strike out the word "quarters" and insert in place thereof the word, quarter.

Insert after line 29 a new line as follows: 29-a \$500.00
\$10.00 \$260 (These figures are for columns A, B, and C
respectively.)

Page 4, line 63, strike out the words "six hundred dollars" and insert in place thereof the words, five hundred dollars.

Line 66, strike out the words "each of two calendar quarters" and insert in place thereof, one calendar quarter.

The Clerk read the amendment in full.

Mr. Plourde spoke in favor of the amendment.

Mr. Guest of Cornish spoke in favor of the amendment.

Messrs. Angus of Claremont, Allen of Concord, Pillsbury of Manchester, Stevenson of Bethlehem and Martel of Manchester spoke against the amendment.

Mr. Craig of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Plourde requested a division and the division being manifestly in the negative the amendment was not adopted.

Mr. Roche of Manchester asked for the Yeas and Nays and subsequently withdrew.

Mr. Angus of Claremont offered the following amendment and spoke in favor of the amendment.

Amend the bill by striking out section 1 and renumbering sections 2, 3, 4 and 5 to read sections 1, 2, 3, and 4.

The Clerk read the amendment in full.

Mr. Goode of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Angus of Claremont moved that the rules of the House be so far suspended as to put HB 420 on third reading and final passage, by title only, at the present time.

On a *viva voce* vote the motion prevailed.

Third Reading of a Bill

HB 420, relative to unemployment compensation, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pillsbury of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 420, and spoke against the motion.

On a *viva voce* vote the motion was lost.

Mr. Rufo of Concord for the Committee on Public Welfare and State Institutions, HB 6 relative to improvements at Laconia State School. Ought to pass with amendment.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Authority Granted: The governor and council, upon recommendation of the trustees of the Laconia State School, are authorized to enter into such agreements on behalf of the state, as may be necessary to effect the construction of staff housing facilities at said institution provided full payment for such construction can be made by either of the following methods or any combination thereof: I. By direct conveyance of the following described tracts of land situated in Laconia, county of Belknap and state of New Hampshire, in whole or in part to the party who under valid written enforceable agreement has contracted to construct such housing facilities in consideration of such conveyance in lieu of cash payment, bounded and described as follows:

First Tract: Beginning at a point on the shore of Lake Opechee, said point being fifty (50') feet northerly measured at right angles from a stone wall, said stone wall being the northerly boundary line of the so-called "Marshall Place Pasture"; thence westerly parallel and fifty (50') feet northerly of said stone wall a distance of four hundred (400') feet to an iron pin; thence turning an interior angle of 87°45' and running N. 7°15'W. three hundred ninety-six and eighty-five hundredths (396.85') feet to an iron pin; thence turning an interior angle

of $154^{\circ}13'30''$ and running N. $18^{\circ}30'$ E. two hundred fifty and two hundredths (250.02') feet to an iron pin; thence continuing in the same course one hundred ninety-nine and seventy-five hundredths (199.75') feet to an iron pin; thence turning an interior angle of $149^{\circ}35'$ and running N. $48^{\circ}30'$ E. five hundred thirty-eight and seven hundredths (538.07') feet to an iron pin; thence turning an interior angle of $107^{\circ}13'30''$ and running four hundred ninety (490') feet to the shore of Lake Opechee; thence turning and running southerly by said shore about twelve hundred and fifty (1250') feet to the point of beginning. Together with the right to pass and repass over a fifty (50') feet strip of land lying immediately adjacent and northerly of the before-mentioned stone wall which marks the northerly boundary to the "Marshall Place Pasture" between North Main Street on the west and Lake Opechee on the east.

Second Tract: Being known as the "Marshall Place Pasture" bounded on the west by North Main Street; bounded on the south by a line fifty (50') feet northerly of and parallel to a stone wall; bounded on the east by Lake Opechee and bounded on the north by another stone wall; being a portion of the premises conveyed to the state by deed recorded in Book 159, page 544, containing eighteen (18) acres, more or less.

II. By applying as payment for the construction of such additional housing facilities all or a part of the net proceeds received from the sale of all or a part of the tracts described in paragraph I. hereof to the highest responsible bidder. Subject to the provisions hereof, the governor and council are authorized to sell and/or convey all or any part of the tracts herein described. The funds accruing from a sale authorized hereunder shall be used solely for payment for such additional housing facilities, except that in the event that any excess funds remain following such construction, such funds shall revert to the credit of said Laconia State School.

Mr. Chandler of Bartlett asked to be recorded as opposing the bill.

Mr. Rufo of Concord explained the amendment.

(discussion ensued)

(Mr. Craig of Manchester in the Chair)

Messrs Harkins of Laconia, Quinn of Concord and Bascomb of Acworth spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was referred to the committee on Appropriations under the rules.

Mr. Rice of Peterborough for the Committee on Resources, Recreation and Development, SB 66, to encourage the private development of public lands. Ought to pass.

Mr. Perrault of Berlin moved that the bill be recommended to the committee on Resources, Recreation and Development and spoke in favor of the motion.

Mr. Chandler of Bartlett spoke in favor of the motion.

(discussion ensued)

Mr. Perrault of Berlin withdrew his motion and moved that the bill be referred to the committee on Appropriations.

On a *viva voce* vote the motion was adopted.

Mr. Claffin of Wolfeboro for the Committee on Transportation, HB 297, relative to school buses. Ought to pass with amendment.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Definitions. Amend RSA 263 by inserting after section 26 the following new section: 263:26-a School Bus. Every motor vehicle owned by a public or governmental agency, or privately owned vehicles while employed solely in transporting school children to and from school or school activities by virtue of a contract with a municipality, municipal board or school board authorities shall be classified as a school bus. A large school bus is one eighty inches or more in width; and a small school bus is a vehicle under eighty inches in width. The words "small school bus" shall include station wagons, sub-urbans, panel body vehicles and vehicles converted to a school bus, but excluding passenger vehicles.

Amend section 6 of the bill by striking out the same and inserting in place thereof the following:

6 Motor Vehicle Operation. Amend RSA 263:43 by striking out said section and inserting in place thereof the follow-

ing: 263:43 Overtaking and Passing School Bus. The driver of a motor vehicle upon a highway upon meeting or overtaking from either direction any school bus, plainly marked with school bus signs, or such other distinguishing identification as the commissioner may require, which has stopped on the highway for the purpose of receiving or discharging school children shall stop his vehicle before reaching such school bus at least twenty-five feet away from such school bus. The driver shall not proceed until such school bus resumes motion, or until flashing red lights cease to operate.

On motion of Mr. Claffin of Wolfeboro, reading of the amendment was dispensed with.

Mr. Claffin explained the amendments.

Mr. Urie of New Hampton spoke in favor of the amendment.

(discussion ensued)

On a *viva voce* vote the amendments were adopted and the bill was ordered to a third reading.

On motion of Mr. Bigelow of Warner the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Geisel of Manchester for the Committee on Banks, HB 173, requiring approval of election of members of managing boards of savings banks and trust companies by bank commissioner. That the bill be amended as follows, and be recommitted to the Committee on Ways and Means.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act repealing the taxation on incomes.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Tax Repealed. RSA 77 (supp) as amended by 1955, 309:1; 1955, 10:1; 1957, 317:1, 2; 1957, 4:1; 1959, 57:1 and 1961, 70:1, providing for a tax upon income received from interest and dividends is hereby repealed.

2 Takes Effect. This act shall take effect as of January 1, 1962.

(Speaker in the Chair)

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was recommitted to the Committee on Ways and Means.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 46, providing for salaries for classified and unclassified state employees.

Amend section II, sub-section 4 of said bill by striking out in the nineteenth twentieth lines thereof the words and figures "Assistant commissioner public works and highways 10 249.20 11 653.20" and inserting in place thereof the words and figures, Assistant commissioner public works and highways 10 634.00 12 220.00,

Further amend section II, sub-section 4 of said bill by striking out in the twenty-eight and twenty-ninth lines thereof the words "Clerk of supreme court and court reporter 8 993.14 10 241.14" and inserting in place thereof the words and figures, Clerk of supreme court and court reporter 10 290.20 11 653.20.

Further amend section II, sub-section 4 of said bill by striking out in the thirty-fourth and thirty-fifth lines thereof the words and figures, Commissioner of public works and highways 12 106.12 13 770.12" and inserting in place thereof the words and figures, Commissioner of public works and highways 12 000.04 14 800.24,

Further amend section II, sub-section 4 of said bill by striking out in the thirty-sixth and thirty-seventh lines thereof the words and figures "Commissioner of the department of employment security 9 621.04 10 947.04" and inserting in place

thereof the words and figures, Commissioner of the department of employment security 10 249.20 11 653.20,

Amend section II, sub-section 4 of said bill, as amended, by striking out in the forty-second and forty-third lines thereof the words and figures "deputy commissioner of public works and highways \$10, 866.18 — \$12,192.18" and inserting in place thereof the words and figures, deputy commissioner of public works and highways \$10,866.18 — \$12,424.36.

Further amend section II, sub-section 4 of said bill by striking out in the eighty-eighth line thereof the words and figures "Secretary, tax commission 10 249.20 11 653.20" and inserting in place thereof the words and figures, Secretary, tax commission 10 634.00 12 220.00.

Further amend section II, sub-section 4 of said bill by striking out in the one-hundredth line thereof the words and figures "Tax commissioner (2) 8 365.24 9 535.24" and inserting in place thereof the words and figures, Tax commissioner (2) 8 993.14 10 241.14.

Amend said bill by inserting after section 16 the following new sections:

17 Additional Salary Increase for 1962-63. In addition to the salaries provided for classified and unclassified positions in state service set forth in RSA 99:1 and RSA 94:1 as hereinbefore amended there shall be a salary increase of one hundred and twenty dollars per year. This salary increase shall be a part of the permanent salary for the various grades and positions and the salary scales hereinbefore set forth shall be adjusted accordingly. For the purpose of providing funds for the salary increase authorized by this section there are hereby appropriated for the fiscal year ending June 30, 1963, the following sums: \$345,162 from general funds; \$192,538 from highway funds; \$21,000 from fish and game fund; \$42,900 from federal funds; and \$19,680 from other self-sustaining funds.

Amend section 15 of said bill by striking out the reference "chapter 9, Laws of 1950" in the last line of said section and inserting in place thereof the reference, RSA, chapter 98.

Further amend said bill by renumbering and by striking out section 17 and inserting in place thereof the following:

18 Takes Effect. The provisions of section 17 shall take effect as of July 1, 1962. The remaining provisions of this act shall take effect July 1, 1961.

Amend paragraphs I and II of RSA 99:1 as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

I The salary ranges for all classified state employees excepting those in engineering positions shall be established as follows:

Salary Grade	Minimum	Maximum
1	2830.00	3208.14
2	2913.04	3289.00
3	2995.20	3370.12
4	3045.12	3542.24
5	3157.18	3651.18
6	3267.16	3759.08
7	3376.10	3866.20
8	3453.06	4062.24
9	3590.08	4196.14
10	3696.16	4419.22
11	3860.22	4580.16
12	4040.14	4760.08
13	4220.06	4940.00
14	4400.24	5120.18
15	4540.12	5420.22
16	4900.22	6020.04
17	5180.24	6300.06
18	5460.00	6580.08
19	5740.02	6860.10
20	5970.12	7290.14
21	6300.06	7620.08
22	6630.00	7950.02
23	6910.02	8430.24
24	7290.14	8810.10
25	7670.00	9190.22
26	8050.12	9570.08
27	8430.24	9950.20
28	8810.10	10330.06
29	9190.22	10710.18
30	9570.08	11090.04

II The salary ranges for all classified state employees in engineering positions determined to be such by the governor and council shall be established as follows:

Salary Grade	Minimum	Maximum
11	4528.22	5392.16
12	4744.14	5608.08
13	4960.06	5824.00
14	5176.24	6040.18
15	5143.12	6155.22
16	5536.22	6788.04
17	5845.24	7115.06
18	6162.00	7432.08
19	6230.02	7462.10
20	6488.12	7920.14
21	6846.06	8278.08
22	7204.00	8636.02
23	7507.02	9159.24
24	7920.14	9572.10
25	8001.50	9587.72
26	8396.12	9992.08
27	8795.24	10391.20
28	9194.10	10790.06
29	9592.72	11188.68
30	9991.58	11587.54

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Appropriations. There are hereby appropriated for the fiscal year ending June 30, 1962 for the salary increases for classified state employees as provided herein, the following sums: \$1,638,538.69 from the general funds of the state; \$937,610.40 from highway funds; \$100,628.36 from fish and game funds; \$212,759.98 from federal funds and \$95,877.99 from self-sustaining funds. Like amounts chargeable to the same funds are hereby appropriated for the fiscal year ending June 30, 1963.

On motion of Mr. Goode of Manchester reading of the amendment was dispensed with.

Mr. Goode of Manchester moved that the House non-concur with the Senate amendments and ask for a Committee of Conference, and that a committee of conference of 5 members be appointed as conferees on the part of the House.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Clement of Rochester, Chandler of Bartlett, Bell of Plymouth, Bruton of Manchester and Dumont of Berlin as conferees on the part of the House.

A further Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 144, controlling the use of house boats.

Senate Bill Read and Referred

SB 144, to Public Health.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 411, relative to appointment of ballot inspectors.

Amend the title of said bill by striking out the following, "in the city of Claremont" so that said title as amended shall read as follows: An Act relative to appointment of ballot inspectors.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Ballot Inspectors. Amend RSA 59:30 by striking out in lines one and two thereof the following, "After holding a caucus as provided by RSA 56:73 or RSA 56:87," so that said section as amended shall read as follows:

59:30 Appointment. Each town and ward political committee of the two political parties which cast the largest number of votes for governor in the state at the last previous biennial election are authorized between October 1 and October 10 of each biennial election year to appoint as additional election officers to act with the clerk, moderator and selectmen at each polling place, two inspectors of election. Provided that if the number of voters qualified to vote at a polling place shall exceed two thousand, said political committees may each appoint for such polling place one additional inspector for each fifteen hundred qualified voters, or fraction thereof in excess of two thousand. The chairmen of said political committees shall, on or

before October 12, notify said appointees and the town or ward clerk and city clerk concerned as to appointments made under the foregoing authority. Provided that if any such appointments are not made by said political committees and proper notification thereof given on or before October 12, in a particular town or ward, then the appointments shall be made by the selectmen of the town or ward concerned.

2 Takes Effect. This act shall take effect sixty days after its passage.

On motion of Mr. Desnoyer of Claremont, reading of the amendment was dispensed with, and the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 407, relative to the workmen's compensation law.

Amend section 5 by striking out the words "his employer's insurance carrier" and inserting in place thereof the words, the employer's insurance carrier,

Amend section 6 by striking out the first three lines and inserting in place thereof the following:

6 Election by Municipalities. Amend RSA 281:7 by inserting after the words "school district" in the first line the words, supervisory union, and by inserting after the word "thereof" in the tenth line the words, for a supervisory union by the supervisory union board thereof, so that said section shall read as follows:

Amend section 9 by inserting before the word "commissioner" where it occurs the word, labor,

On motion of Mr. Angus of Claremont the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 235, to include wild animals with respect to open seasons.

Amend section 1 of said bill by striking out after the word "wild" wherever it shall appear the comma so that said section as amended shall read as follows:

1 Fish and Game Definitions. Amend the definitions of open and closed season found in RSA 207:1 by inserting after the word "game" where it occurs in said definitions the word, wild so that said definitions as amended shall read as follows:

Open Season: That period of time during which fish, game, wild or fur-bearing animals may be legally taken or killed.

Closed Seasons: That period of time during which fish, game, wild or fur-bearing animals may not be taken or killed, and all periods of time not included within the open season.

On motion of Mr. Spalding of Plainfield the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 170, establishing the office of judicial referee.

HB 264, relating to constitutional conventions.

HB 189, relating to the salaries of the Rockingham county commissioners.

HB 86, increasing the state guarantee of municipal bonds issued for water pollution projects.

HB 158, relative to policemen's retirement system thirty year plan.

HB 157, relative to retired members of the policemen's retirement system.

HB 410, providing for training in safe handling of firearms by certain minors.

HB 174, relative to the salary of the sheriff of Rockingham county.

On motion of Mr. Normandin of Laconia the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only, and that when the House adjourns today, in honor of Old Glory, it be to meet tomorrow morning at 11:00 o'clock.

Third Reading

HB 230, relative to liability for education of children in foster homes.

HB 297, relative to school buses.

On motion of Mrs. Demers of Lebanon the House adjourned at 4:29 o'clock in honor of Old Glory.

THURSDAY, JUNE 15, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, Reverend George Pennington, as follows:

(Adapted from the Psalms) Who shall ascend into the hill of the Lord? And who shall stand in his holy place? He that hath clean hands, and a pure heart: who hath not lifted up his soul unto falsehood, and hath not sworn deceitfully.

Righteousness and justice are the foundations of thy throne: lovingkindness and truth go before thy face. Blessed is the people that know the joyful sound.

Blessed is the man that maketh the Lord his trust, and respecteth not the proud, nor such as turn aside to lies.

O Lord, teach us to number our days, that we may get us a heart of wisdom. Let thy work appear unto thy servants. Yea, the work of our hands establish thou it. Amen.

Pledge of Allegiance to the Flag

Mr. McDaniel of Nottingham led the Convention in the Pledge of Allegiance to the Flag.

House

The Chair introduced a group of 4th grade students from the Canterbury school, courtesy of Mr. Asby of Canterbury.

Leaves of Absence

Messrs. Howe of Tilton and Deans of Milford were granted leaves of absence for the day on account of important business.

Mr. Grimes of Dover was granted a leave of absence for the day on account of illness.

Committee Reports

Mr. London of New London for the Committee on Judiciary, HB 477, to redistrict the state into senatorial districts. Ought to pass with amendment.

Amend section 62:13 as inserted by section 1 of the bill by inserting after the word "Pittsburg" in the third line the words, Randolph, Stark, so that said section as amended shall read as follows:

62:13 District 2. Senatorial district number two contains Carroll, Clarksville, Colebrook, Columbia, Dalton, Dummer, Errol, Jefferson, Lancaster, Littleton, Northumberland, Pittsburg, Randolph, Stark, Stewartstown, Stratford, Wentworth's Location, Whitefield and the following unincorporated places: Atkinson and Gilmanton Academy Grant, Cambridge, Dix's Grant, Dixville, Erving's Grant or Location, Kilkenny, Millsfield, Odell and Second College Grant.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Ecker of Manchester for the Committee on Banks, HB 300, relating to regulation of small loans. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the charter of the Plymouth Guaranty Savings Bank.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Plymouth Guaranty Savings Bank. Amend section 4 of chapter 238 of the Laws of 1889 by striking out said section and inserting in place thereof the following: Sect. 4. Special deposits may be received by the bank to constitute the guaranty fund before mentioned, and such special deposits shall at all times be maintained in accordance with the provisions of RSA 386 and any amendments thereto. Subject to the provisions of RSA 386 and any amendments thereto the general deposits shall be entitled to such rate of interest from the bank as the trustees thereof may vote from time to time. The special deposits for the guaranty fund shall not be entitled to any interest, but instead thereof shall have all the net income and profits of the bank above its expenses, the interest due the general depositors as aforesaid, and the losses of the bank, and said net income and profits may be divided proportionally among said special deposits, at such time and in such ways as the bank or its trustees may order; provided, however, that such dividends shall be made only when the net resources of the bank above its expenses, its liabilities for the general deposits, and the guaranty fund aforesaid, shall be sufficient to pay the same.

2 Repeal. Sect. 7 of chapter 238 of the Laws of 1889, relative to taxation, is hereby repealed.

3 Takes Effect. This act shall take effect upon its passage.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Demers of Lebanon for the Committee on Education, SB 133, to enlarge the rights of students under twenty-one years of age to contract to borrow money to finance higher education. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Ainley of Manchester for the Committee on Judiciary, SB 69, providing for the disposition of certain abandoned property. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. London of New London for the Committee on Judiciary, SB 138, to provide for recording of instruments and acts in unincorporated places which have no clerk. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Wildey of Westmoreland for the Committee on Judiciary, HB 455, relative to the restraining of dogs. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Pappagianis of Nashua for the Special Committee consisting of the members from the city of Nashua, HB 482, to revise the charter of the city of Nashua. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Edwards of Antrim for the Committee on Public Works, SB 57, establishing an interim committee to study the question of extending the powers of the Maine-New Hampshire Inter-state Bridge Authority. Ought to pass.

At the request of Mr. Pillsbury of Manchester, Mr. Gallo-way of Walpole explained the bill.

(discussion ensued)

The Chair referred SB 57 to the committee on Finance under the rules.

Mr. Cormier of Somersworth for the Special Committee consisting of the members from the city of Somersworth, HB 188, amending the charter of the city of Somersworth. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Rice of Peterborough the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Harkins of Laconia explained the bill.

Mr. Rice of Peterborough for the Committee on Resources, Recreation and Development, HB 426, relative to

sewerage system at the Laconia state school. Ought to pass with amendment.

1 Amend said bill by striking out all after the title and inserting in place thereof the following:

2 *Whereas*, the city of Laconia is now engaged in altering its sewerage system and

3 *Whereas*, the final disposition of treated sewage from the Laconia state school is now made separately into lake Winnisquam and

4 *Whereas*, at some future date it may be desirable to discharge sewage from said state school by connection to the city sewerage system, now therefore

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Appropriation. There is hereby appropriated the sum of sixty-six thousand dollars, or so much thereof as shall be necessary, to be expended by the city of Laconia in order that said city in the process of altering its sewerage system shall install pipe and increase the capacity of its pumping station so that it will be capable of handling the sewage flow from the Laconia state school in a satisfactory manner without need for further alteration.

The provisions of this section shall be a matter of contract approved by the attorney general between the state of New Hampshire and the city of Laconia, which contract shall include a provision that future connection of the Laconia state school sewerage to the city of Laconia system shall be at the discretion of and without further cost or charge to the state of New Hampshire. Upon the certification of the attorney general that such a contract has been executed the governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

2 Takes Effect. This act shall take effect upon its passage.

Mr. O'Shan of Laconia spoke against the amendment.

Mr. Urie of New Hampton spoke in favor of the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and HB 426 was referred to the committee on Appropriations under the rules.

Mr. Claffin of Wolfeboro for the Committee on Transportation, HB 395, relative to free registration number plates for emergency vehicles. Ought to pass with amendment.

Amend the bill by striking out sections 1 and 2 and inserting in place thereof the following:

1 Motor Vehicle Registration. Amend RSA 262 by inserting after section 13 the following new section: 262:13-a Emergency Vehicles. Motor vehicles owned and operated by non-profit organizations and used exclusively without charge for emergency purposes shall be exempt from registration fees but shall be registered as any other motor vehicles are.

2 Municipal Permit Fees. Amend RSA 260 by inserting after section 28 the following new section: 260:28-a Exemption. No fee shall be charged for permit to register a motor vehicle owned by a non-profit organization and used exclusively without charge for emergency purposes.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted.

Mrs. DeLude of Unity offered the following amendment and moved its adoption:

Amend the bill by inserting after section 2 the following new section:

3 Agricultural Vehicles. Amend paragraph V of RSA 262:1 (supp) as amended by 1955, 144:1 and 1957, 235:1 by striking out the word "ten" in the ninth line and inserting in place thereof the word, twenty, so that said paragraph as amended shall read as follows:

V. For each road oiler or bituminous distributor the fee shall be seventy-five dollars. For each tractor used for agricultural purposes only, each vehicle of the tractor type used for agricultural purposes only and used to draw another vehicle in such a way that a part of the load is carried on such towing vehicle, each tractor used for power purposes only that does

not haul loads on the public highways except as hereinbefore provided for tractor type vehicles, two dollars. Each commercial vehicle or truck used for agricultural purposes only and used on the public highways within a radius of twenty miles from the main entrance of the farm upon which said vehicle is operated, or used to transport animals and agricultural products to agricultural fairs and exhibits for exhibition purposes only, two dollars, provided that such vehicle under such limited registration shall not be used for the purpose of transporting products for sale or for hire. For semi-trailer of a total weight, determined as provided in paragraph IV of this section, used only for the transportation of agricultural products produced on, and meant to be used in connection with the operation of, a farm or farms owned, operated or occupied by the registrant, the fee shall be twenty-five dollars, for the first sixteen thousand pounds and at the same rates set forth in paragraph IV of this section for any additional weight above sixteen thousand pounds, and for each additional or extra semi-trailer used in connection with a motor truck type tractor registered for farm purposes, twenty-five dollars, provided that a farm truck or combination truck-tractor and semi-trailer so registered shall not be used for the transportation of wood and lumber for sale other than from such farms on which the production of wood and lumber is incidental to other farm operations, nor shall such trucks be used for the retail delivery of milk. In the event that a farm truck registered under the twenty-five dollar fee as hereinbefore provided is thereafter registered for general use during the same registration year such fee shall be applied toward the fee for such general registration.

Further amend said bill by renumbering section 3 to read section 4.

On motion of Mrs. DeLude of Unity reading of the amendment was dispensed with.

Mrs. DeLude of Unity explained the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 86, increasing the state guarantee of municipal bonds issued for water pollution projects.

HB 157, relative to retired members of the policemen's retirement system.

HB 170, to establish the office of judicial referee.

HB 174, relative to the salary of the Sheriff of Rockingham County.

HB 180, to increase the terms of office of the clerk and treasurer of the city of Nashua.

HB 264, relating to constitutional conventions.

HB 410, providing for training in safe handling of firearms by certain minors.

House Bill and Joint Resolution Read and Referred

HJR 43, Joint Resolution in favor of the estate of Francis P. Plante. To Appropriations.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to dispense with reference to committee on HJR 43, and public hearing and the resolution was ordered to a third reading.

HB 486, providing for Appropriation for the Legislature. (Goode of Manchester, Rules) To Appropriations.

Messrs. Chandler of Bartlett and Goode and King of Manchester offered the following concurrent resolution:

Resolved by the House of Representatives with the Senate concurring,

That the General Court of the State of New Hampshire does hereby fix January 1, 1963 as the effective date of the amendment to Article 15, Part Second of the Constitution approved by the qualified voters of the state at the meetings held on the Tuesday next following the first Monday in November, 1960.

Mr. King of Manchester spoke in favor of the concurrent resolution.

On a *viva voce* vote the concurrent resolution was adopted.

Messrs. Chandler of Bartlett and Goode and King of Manchester offered the following resolution:

Whereas, the House of Representatives has pending before it a concurrent resolution fixing the time when an amendment to the Constitution of the State of New Hampshire shall become effective, and

Whereas, the Constitutional Convention provided that said amendment and others should become effective upon proclamation of the Governor following the requisite vote of the qualified voters of the state, and

Whereas, his Excellency the Governor on November 30, 1960 proclaimed said amendment to be effective, and

Whereas, questions have arisen in connection with the power of the General Court to fix the time when alterations and amendments to the constitution shall take effect, now therefore be it

Resolved, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Is said amendment referred to in said concurrent resolution presently in effect?
2. If said concurrent resolution is adopted will said amendment take effect upon the date fixed by said concurrent resolution?
3. What action is required of the General Court by the provisions of Article 98, Part Second of the Constitution of the State of New Hampshire?

Further Resolved, That the Speaker transmit seven copies of this resolution and of said Concurrent Resolution to the Clerk of the Supreme Court for consideration by said court.

The Clerk read the resolution in full.

On a *viva voce* vote the resolutions were adopted.

Mr. Karkavelas of Dover moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Committee Report

Mr. Karkavelas of Dover for the committee on Appropriations, HB 486, providing for Appropriation for the Legislature. Ought to Pass.

On a *viva voce* vote the bill was ordered to a third reading.

Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 185, relative to the issuance of short term loans for highway purposes.

HB 223, relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income.

HB 382, relative to the construction of a dining hall at the University of New Hampshire, cost to be liquidated from income.

HB 476, changing the name of the New Hampshire Tuberculosis Association.

HB 443, relative to agreements with the University of Vermont.

HB 466, relative to county conventions.

HB 347, requiring voting of county budgets annually.

HB 232, relating to the liability of landowners.

HB 418, relative to legislative mileage.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 413, making it possible for trustees and custodians to invest in life insurance, endowment and annuity contracts.

Amend said bill by striking out all after the enacting clause and substituting the following therefor:

1 Life Insurance. Amend RSA 564:18 by adding after paragraph IV thereof the following new paragraph:

V In life insurance, endowment or annuity contracts, issued by any insurer authorized to do business in New Hampshire, on the life or for the benefit of any beneficiary of the trust.

2 Definitions. Amend RSA 463-A:1, V. by adding thereto the following new subparagraph:

(d) A life insurance, endowment or annuity contract on the life of or for the benefit of the minor.

3 Gifts to Minors. Amend RSA 463-A:2, I. by inserting after the word "money" in the second line the words, or a life insurance, endowment or annuity contract, so that said clause as amended shall read as follows:

I An adult person may, during his lifetime, make a gift of a security or money or a life insurance, endowment or annuity contract to a person who is a minor on the date of the gift.

4 Manner of Making Gift. Amend RSA 463-A:1, I by inserting therein the following new subparagraph:

(d) If the subject of the gift is a life insurance, endowment or annuity contract, by assigning it to himself, to another adult person or to a bank or trust company "as custodian for under the New Hampshire Uniform Gifts to (name of minor) Minors Law."

5 Investment. Amend RSA 463-A:4 (supp) by adding to paragraph V thereof the following sentence:

The custodian may invest the custodial property in life insurance, endowment or annuity contracts on the life or for the benefit of the minor.

6 Takes Effect. This act shall take effect sixty days after its passage.

On motion of Mr. Varney of Rochester reading of the amendment was dispensed with and Mr. Varney explained the amendment.

On motion of Mr. Totman of Keene the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed the following bills and joint resolutions, in the passage of which it asks the concurrence of the House of Representatives:

SJR 10, creating the Nashua Airport Authority.

SB 150, relative to the financing of the Lebanon Regional Airport and the contributions towards financing the same.

SB 147, pertaining to Dillant-Hopkins Airport.

SB 72, providing for the election of county commissioners for the county districts of Merrimack county.

SB 148, establishing the penalty for collusive bidding on contracts for public works or purchase.

SB 151, legalizing the annual meeting of the town of Newbury.

Senate Bills Read and Referred

SJR 10, to Nashua Delegation.

SB 150, to Aviation.

SB 147, to Aviation.

SB 72, to Municipal and County Government.

SB 148, to Judiciary.

SB 151, to Municipal and County Government.

A further Senate message announced that the Senate has voted with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 366, relative to motor vehicle sales finance.

SB 117, relative to highways in the town of Goffstown.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 373, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1962.

(For amendments see Senate Journal for Thursday, June 8, pages 712 through 739)

On motion of Mr. Pillsbury of Manchester reading of the amendments were dispensed with.

Mr. Pillsbury of Manchester moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Clement of Rochester, Shepard of Londonderry, Goode and King of Manchester, and Belcourt of Nashua as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 374, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1963.

(For amendments see Senate Journal for Thursday, June 8, pages 739 through 764)

On motion of Mr. Pillsbury of Manchester reading of the amendments were dispensed with.

Mr. Pillsbury of Manchester moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Clement of Rochester, Shepard of Londonderry, Goode and King of Manchester, and Belcourt of Nashua as conferees on the part of the House.

Reconsideration

Mr. Coutermarsh of Lebanon moved that the House reconsider its vote whereby it passed HJR 36, in favor of Fred Lahaye, and spoke against the motion.

(discussion ensued)

Mr. Geisel of Manchester spoke against the motion.

On a *viva voce* vote the motion was lost.

Mr. Hanson of Bow moved that the order be vacated whereby SB 72 (providing for the election of county commissioners for the county districts of Merrimack) was referred to the Executive Departments and Administration and that the bill be referred to the Merrimack County Delegation.

On a *viva voce* vote the motion was adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 133, to enlarge the rights of students under twenty-one years of age to contract to borrow money to finance higher education.

SB 69, providing for the disposition of certain abandoned property.

SB 138, to provide for recording of instruments and acts in unincorporated places which have no clerk.

The following bills and resolution were read a third time, passed, and sent to the Senate for concurrence:

HB 300, relating to regulation of small loans.

HB 477, to redistrict the state into senatorial districts.

Reconsideration

Mrs. Palmer of Plaistow, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 477 and spoke against the motion.

On a *viva voce* vote the motion was lost.

Third Readings (cont)

HB 482, to revise the charter of the city of Nashua.

HB 188, amending the charter of the city of Somersworth.

HB 395, relative to free registration number plates for emergency vehicles.

HB 486, providing for additional appropriation for the legislature.

HJR 43, in favor of the estate of Francis P. Plante.

On motion of Miss Whipple of Lebanon the House adjourned at 12:37 o'clock.

TUESDAY, JUNE 20, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, Reverend George Pennington, as follows:

God of greatness, we would remember that it is often the little things that give us the most trouble. "Little foxes . . . spoil the vines." (The Song of Solomon 2:15) We would learn to pick up our feet that we may not stub our toes. We would know how to walk without sand in our shoes.

We are called here to do a work. We would labor in largeness of spirit, for it is seldom great things that divide us, but rather too frequently it is sand in our shoes.

Call us. Speak within us to beckon us to great thoughts and to noble deeds, the values and concerns of a free people, and cause us to stand, if not always agreed, yet on the common ground of high resolve. Amen.

Pledge of Allegiance to the Flag

Mr. Berringer of Woodstock led the Convention in the Pledge of Allegiance to the Flag.

Introduction of Guests

The Chair presented Senator Phillips of District No. 8 who introduced to the Joint Convention Miss Annette Lambert of Claremont who is Miss New Hampshire of 1961, and who will represent the state at Atlantic City in September.

Miss New Hampshire addressed the Joint Convention briefly.

Senator Phillips also introduced Mrs. Rowena Daniels, the official chaperone of Miss New Hampshire.

On motion of Senator Drake of District No. 2 the Convention rose.

House

Leaves of Absence

Messrs. Chandler of Portsmouth, Gay of Derry and Seamans of Concord were granted leave of absence for the week on account of important business.

Mr. Grimes of Dover was granted an indefinite leave of absence on account of illness.

Mr. Buckley of New Boston was granted a leave of absence for the day on account of illness.

Mr. Deans of Milford was granted a leave of absence for the day on account of important business.

Committee Reports

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Clement spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. King of Manchester for the Committee on Appropriations, HB 22, relative to the state board of fire control. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Clement spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Vaughan of Newport for the Committee on Appropriations, HB 473, relative to the state council on aging. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Stevens of Epsom for the Committee on Banks, HB 290, to create a bank advisory board. Ought to pass in new draft.

The Chair referred HB 290 to the committee on Appropriations under the rules.

Mr. Vashaw of Berlin for the Committee on Fish and Game, HB 80, relative to fees and bonds for fish and game agents and eliminating the so-called stamp for fish and game licenses. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to agents' accounting and bonds for fish and game agents.

Amend section 1 of the bill by striking out said section.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Agents. Amend RSA 214:15 (supp) as amended by 1959, 254:3 by striking out all after the word "director" in the seventh line so that said section as amended shall read as follows: 214:15 Agent's Accounting. The agent shall collect from the licensee a fee of twenty-five cents for each license issued and shall account to the director for the full face value of the licenses. He shall, on the first day of each month, pay to the director the full face value of all licenses sold and shall report the names and addresses of all persons to whom licenses have been sold and such other information as may be requested on blanks to be furnished by the director.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Amend RSA 214 by inserting after section 16 the following new section: 214:16-a Fee Prohibited. No fee shall be required from agents who are authorized by the director of the fish and game department to issue fish and game licenses.

Amend section 4 of the bill by striking out in the third line the word "blanket" and inserting in place thereof the word, schedule, so that said section as amended shall read as follows:

4 Agents. Amend RSA 214 by inserting after section 16 the following new section: 214:16-a Bonds. The director shall purchase from funds of the department a schedule bond to cover the agents authorized by him to sell fish and game licenses and no charge shall be made on the agents for the cost thereof.

Further amend the bill by renumbering sections 2, 3, 4 and 5 to read sections 1, 2, 3, and 4.

On a *viva voce* vote the amendment was adopted.

Mr. Paquette of Ashland offered the following amendment and moved its adoption.

The Clerk read the amendment in full.

I move that the amendment offered by the Committee report be amended by striking the second line which reads "Amend section 1 of the bill by striking out said section;" and by striking out the last two lines of the amendment which read: "Further amend the bill by renumbering sections 2, 3, 4 and 5 to read sections 1, 2, 3 and 4."

Mr. Paquette spoke in favor of the amendment.

Mr. Spalding of Plainfield spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Davis of Concord for the special Committee consisting of the members from the city of Concord, HB 330, rela-

tive to the Concord city charter. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "eight thousand five hundred dollars minimum to ten thousand dollars maximum" in the fourth and fifth lines and inserting in place thereof the words, ten thousand dollars, so that said section as amended shall read as follows:

1 City of Concord. Amend section 11 of chapter 429 of the Laws of 1957 by striking out said section and inserting in place thereof the following:

429:11 Compensation. The mayor shall receive a salary of ten thousand dollars per annum, payable monthly. Aldermen shall receive fifteen dollars per meeting upon attendance, not to exceed in the aggregate five hundred dollars per annum in full for their services.

Amend section 4 of the bill by striking out the words "upon its passage" and inserting in place thereof, January 1, 1962, so that said section as amended shall read as follows:

4 Takes Effect. This act shall take effect January 1, 1962.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted.

Mr. Gibson of Concord offered the following amendment and moved its adoption.

The Clerk read the amendment in full.

Amend section 4 by striking out said section and inserting in place thereof the following:

4 Takes Effect. This act shall take effect when approved by the Board of Aldermen.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Healy of Manchester, Ward 6, for the Committee on Judiciary, SB 135, to repeal charters of certain corporations. Ought to pass with amendment.

Amend said bill by striking out in section 1 thereof the line that reads "Winchester Mfg. Co., Inc. (Winchester, 1954)",

and the line that reads "Indian Head Shopping Center, Inc. (Nashua, 1954)", and the line that reads "Quinlar Lumber Company, Inc. (Walpole, 1958)" and the line that reads "Youth Corner, Inc. (Nashua, 1957)".

Further amend said bill by inserting in section 1 thereof in the proper alphabetical order the line, Connecticut River Farmers' Association, Inc. (Claremont, 1942), and the line Crawford Door Sales Company of New Hampshire, Inc. (Manchester, 1956), and the line, Havermass Chicks, Inc. (Concord, 1959), and the line, Norwood Oil Company (Keene, 1932).

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Collishaw of Exeter for the Committee on Liquor Laws, HB 368, relative to sales of liquor and beverages by hotels. Ought to pass with amendment.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Hotel Dining Rooms and Guests Rooms. Amend 178:3 by striking out said section and inserting in place thereof the following: 178:3 Licenses to Hotels. The commission may issue a license to any first-class hotel in any town if such hotel also holds a permit provided under RSA 181:4. The determination of what is a first-class hotel is to be within the discretion of the commission. The license issued under this section shall entitle the licensee to sell liquor by the glass and fortified wines by the bottle, if the cork is drawn, to bona fide guests with meals in the dining room or in the rooms of guests. Notwithstanding the fact that the town where the hotel is located has voted not to approve the sale of beverages in said town the permit issued to a first-class hotel shall entitle the permittee to sell beverages to bona fide guests with meals in the dining room or in the rooms of guests.

The Clerk read the amendment in full.

Mr. Casassa of Hampton moved that HB 368 be indefinitely postponed and spoke in favor of the motion.

Messrs. Angus of Claremont, Murch of Portsmouth, Stevenson of Bethlehem, Low of Hanover, Pickett of Keene and Jenkins of New Castle spoke against the motion.

Mrs. Frizzell of Charlestown spoke in favor of the motion.

On a *viva voce* vote the motion to indefinitely postpone was not adopted.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Pillsbury of Manchester for the Special Committee, consisting of the members from the city of Manchester, HB 107, relative to certain retired teachers in the city of Manchester. Ought to pass with amendment.

Amend the title of said bill by striking out the word "teachers" and inserting in place thereof the word, employees, so that said title shall read as follows: An act relative to certain retired employees in the city of Manchester.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 City of Manchester. The board of mayor and aldermen of the city of Manchester may, in the case of any retired employee whose pension under the city system is less than twelve hundred dollars per year, make annual appropriations to supplement said pension to an amount not exceeding twelve hundred dollars of total annual payment.

2 Takes Effect. This act shall take effect sixty days after its passage.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Larty of Haverhill for the Committee on Ways and Means, SB 43, relative to overpayment of income taxes. Ought to pass with amendment.

Amend section 1 of the bill by inserting after the word "made" in the third line the words, in an amount not more than ten dollars, so that said section as amended shall read as follows:

1 Income Tax. Amend RSA 77 by inserting after section 21 the following new section: 77:21-a Overpayments. If upon audit of a tax return it is found that an overpayment of the

tax has been made in an amount not more than ten dollars, such overpayment shall be held and credited against the tax to be paid in the succeeding year unless the person making the overpayment upon inquiry by the director shall request in writing that a refund of the amount overpaid be made to him.

Amend section 2 of the bill by striking out the words "sixty days after" and inserting in place thereof the word, upon, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect upon its passage.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 16, naming the Kancamagus Highway.

HB 158, relative to policemen's retirement system, thirty year plan.

HB 185, relative to the issuance of short term loans for highway purposes.

HB 223, relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income.

HB 464, relative to licenses for taking clams and oysters.

HJR 28, relative to operation and maintenance of Fort Dearborn State Park.

SB 117, relative to highways in the town of Goffstown.

SB 138, to provide for recording of instruments and acts in unincorporated places which have no clerk.

HB 324, relative to the registration and licensing of guides.

HB 372, relative to municipal elections in the city of Manchester.

HB 486, providing for an additional appropriation for expenses of the legislature.

HJR 1, providing an appropriation for the Civil War Centennial Commission.

HJR 15, providing funds for completion of forest conservation aid payments.

HJR 25, providing supplemental appropriation for school building aid.

HJR 43, in favor of the estate of Francis P. Plante.

HB 133, relative to certain deposit accounts in savings banks.

HB 235, to include wild animals with respect to open seasons.

HB 279, relative to supervisory unions and teacher consultants.

HB 382, relative to the construction of a dining hall at the University of New Hampshire, cost to be liquidated from income.

HB 443, relative to Agreements with the University of Vermont.

HB 466, relative to county conventions.

HB 476, changing the name of the New Hampshire Tuberculosis Association.

SB 133, to enlarge the rights of students under twenty-one years of age to contract to borrow money to finance higher education.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 210, relative to cooperative school districts. Ought to pass with amendment.

Amend section 3 of said bill by striking out the first three lines and inserting in place thereof the following:

3 Election and Terms of Office of Members of Cooperative School Board. Amend RSA 195:4 by inserting after paragraph II-a, as inserted by 1961, 44:1 the following new paragraph: II-b. Notwithstanding any provision

Amend section 5 by inserting after the word "cooperative" in the seventh line the word, school

Further amend section 5 of said bill by striking out the first line and inserting in place thereof the following:

5 Apportionment. Amend RSA 195:8 (supp) as amended by 1955, 334:10 and 1959, 195:2 by striking out in line five thereof

On motion of Mrs. Brown of Sandwich the House concurred in the amendment.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 139, increasing the salary of the Belknap county attorney. Ought to pass with amendment.

Amend section 1 of said bill by inserting after the figure "1959, 6:1" the following, and 1961, 107:1

Further amend said section by striking out the words "twenty-four hundred" in the fifteenth line and inserting in place thereof the words, three thousand

On motion of Mr. Urie of New Hampton the House concurred in the amendment.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 46, An Act providing for salaries for classified and unclassified state employees, having considered the same, report the same with the recommendation that the Senate recede from its position in the adoption of its amendments and concur with the House in the passage of the bill.

Arnold T. Clement
Earle W. Chandler
Kenneth G. Bell
George A. Bruton
Raymond E. Dumont

Conferees on the Part of the House

Frank T. Buckley
Nathan T. Battles
Marye W. Caron

Conferees on the Part of the Senate

On a *viva voce* vote the report was adopted.

Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 145, relative to teaching persons to drive.

SB 88, to grant tax exemption to national veterans associations.

Senate Bills Read and Referred

SB 145, to Judiciary.

SB 88, to Ways and Means.

A further Senate message announced that the Senate has passed joint resolutions with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SJR 11, in favor of Mrs. Hattie M. Drake.

SJR 12, to pay certain judgments against the State of New Hampshire.

SJR 2, providing an appropriation toward the repair and improvement of the Berlin or Nansen ski jump, so-called.

Senate Joint Resolutions Read and Referred

SJR 11, to Finance.

SJR 12, to Appropriations.

SJR 2, to Appropriations.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Resolved by the Senate, the House of Representatives concurring, that Senate Bill No. 142, An Act to establish a Uniform Motor Vehicle Certificate of Title and Anti-Theft Act, be referred to a special study committee of six members. The commissioner of motor vehicles and the attorney general shall be ex-officio members of said committee, provided that the attorney general may designate one of his assistants to act as ex-

officio member in his place. The remaining four members shall be appointed by the governor as follows: One of said members shall be a representative of the New Hampshire Automobile Dealers Association, one of said members shall be a representative of the commercial banks of this state, the third shall be a New Hampshire resident representing the general public, and the fourth shall be a member of the Town Clerk's Association. The members of the committee shall serve without compensation. Said committee shall make a report of its findings and recommendations to the 1963 legislature.

The Chair referred the concurrent resolution and SB 142 to the committee on Judiciary.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following joint resolutions, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HJR 18, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham, New Hampshire.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

The sum of twenty-five thousand dollars is hereby appropriated for the period from the date of the passage hereof to June 30, 1962 and a like sum for the fiscal year ending June 30, 1963 for the purpose of contributing to the operating expenses of educational television station WENH-TV channel 11, operated by the University of New Hampshire with the advice and counsel of the New Hampshire Educational Broadcasting Council, Inc., in strict conformance with the Federal Communications Commission rules and regulations on the discussion of public issues. In addition to the appropriation hereinbefore made there is hereby appropriated a sum not exceeding fifteen thousand dollars for the fiscal year ending June 30, 1962 and a like sum for the fiscal year ending June 30, 1963 which sum shall be available or any part thereof for the same purposes, provided there is raised and appropriated by school districts in the state sums for the operating expenses of said educational television on an equal matching basis. The sums hereby appropriated by the state and the sums appropriated

by school districts shall be expended for the operation of said television station through the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire. Any balance of the state appropriation made for the year ending June 30, 1962 may be expended in the following fiscal year provided that this shall not apply to the appropriation which is to be matched by school district funds. The governor is authorized to draw his warrants for the sums hereby appropriated by the state out of any money in the treasury not otherwise appropriated.

On motion of Mr. Clement of Rochester reading of the amendment was dispensed with.

Mr. Clement explained the amendment and moved that the House concur in the Senate amendment.

On a *viva voce* vote the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 486, providing for an additional appropriation for expenses of the legislature.

HJR 43, in favor of the estate of Francis P. Plante.

HB 447, relative to use of funds by credit unions.

HJR 15, providing funds for completion of forest conservation aid payments.

HJR 3, providing funds for state nursing scholarship program.

HB 58, establishing a division of records management and archives.

HB 363, relative to education for intellectually retarded children.

HJR 25, providing supplemental appropriation for school building aid.

HJR 34, providing for a study into the feasibility of state participation in cost of group insurance for state employees.

HB 372, relative to municipal elections in the city of Manchester.

HJR 1, providing an appropriation for the Civil War Centennial Commission.

HJR 28, relative to the operation and maintenance of Fort Dearborn State Park.

HB 279, relative to supervisory unions and teacher consultants.

HB 16, naming the Kancamagus Highway.

HB 324, relative to the registration and licensing of guides.

HB 464, relative to licenses for taking clams and oysters.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bills:

HB 373, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1962.

HB 374, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1963.

and the President has appointed as members of said Committee on the part of the Senate: Senator Humphreys and Senator Dunnington and Senator Caron.

Resolutions

Mr. Totman of Alstead offered the following resolutions:

Whereas we have learned of the death of Peyton R. H. Washburn of Alstead, and

Whereas Mr. Washburn was a former member of this House for several sessions and served his town for a great number of years in town offices;

Now Therefore Be It Resolved By the House of Representatives of the State of New Hampshire, in General Court convened:

That we extend our deepest sympathy and condolences to the family of Mr. Washburn in their bereavement and hereby recognize the service and work of Mr. Washburn to his state and his community, and

That the clerk be directed to transmit a copy of this resolution to the family of Mr. Washburn.

On a *viva voce* vote the resolutions were unanimously adopted.

Messrs. Varney of Rochester and Larty of Haverhill offered the following resolutions:

Whereas, Paul I. LaMott, Representative from Haverhill and Vice Chairman of the Committee on Military and Veterans Affairs, is ill at Veterans Hospital at White River Junction, Vermont, following surgery, therefore be it

Resolved, That we, the Members of the Committee on Military and Veterans Affairs, for ourselves and for the Members of the House of Representatives of the New Hampshire General Court, extend our sympathy to our Fellow Member in his illness and our hopes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit to Representative LaMott a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

The Chair announced the death of Representative R. Wilbur Potter of Milan and appointed the following members to attend the funeral as a delegation from the House:

Messrs. Emerson of Dalton, Crockett of Gorham, Fortier of Berlin and Mrs. Kimball of Jefferson and Mrs. Gagnon of Berlin.

Senate Messages

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 155, legalizing the annual town meeting held in the town of Roxbury in 1961.

Senate Bill Read and Referred

SB 155, to Municipal and County Government.

Mr. Clark of Harrisville moved that the rules of the House be so far suspended as to dispense with reference to committee, public hearing, and that the SB be acted on at the present time.

On a *viva voce* vote the motion was adopted.

On a *viva voce* vote the bill was ordered to a third reading.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 256, relative to technical institutes and vocational technical schools.

Amend section 1 of the bill by striking out paragraph numbered 188-A:2 and inserting in place thereof the following:

188-A:2 Technical Institute. The state board of education is hereby authorized and directed to establish one technical institute with dormitory facilities such institute to be centrally located where in the opinion of the board it will serve most advantageously the purpose of this chapter.

Further amend section 1 of the bill by striking out paragraph numbered 188-A:5 and inserting in place thereof the following:

188-A:5 Vocational-Technical Schools. The state board of education is hereby authorized and directed to establish not more than five vocational-technical schools in geographic areas throughout the entire state, as determined by the board. The board is further authorized and directed to reorganize the present technical institutes (Manchester-Portsmouth) as vocational-technical schools in accordance with the intent of this chapter.

Further amend section 1 of the bill by inserting after paragraph numbered 188-A:6 the following new paragraph:

188-A:7 Advisory Committee. The Governor, with the consent of the Council, shall appoint an advisory committee of seven (7) members representative as follows: two (2) industry; one (1) organized labor; one (1) agriculture; one (1)

employment security; one (1) business; one (1) public education.

Duties: It shall be the duty of this committee to advise the state board of education relative to the administration and programming of the technical institute and vocational-technical schools, thus assuring expert participation by management, labor, business and education.

Length of office. The membership on this committee shall be for a period of three years. Initial appointment shall be two members for one year; two members for two years; and three members for three years. Vacancies shall be filled for unexpired terms.

Further amend section 1 of the bill by renumbering paragraphs 188-A:7, 8, 9, 10 and 11 to read 8, 9, 10, 11 and 12 respectively.

On motion of Mr. Clement of Rochester reading of the amendment was dispensed with.

Mr. Clement explained the amendment and the House concurred in the Senate amendments.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 46, providing for salaries of classified state employees.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 24, to restrict outdoor advertising on the interstate highway system.

Amend paragraph II of RSA 249-A:2, as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

II. For the purposes of this chapter the words "interstate system" shall be considered to mean all highways within this state which are a part of the National System of Interstate and Defense Highways described in subsection (d) of

section 103 of title 23, United States Code, and constructed upon any part of right-of-way, the entire width of which was acquired subsequent to July 1, 1956.

Amend paragraph I of RSA 249-A:3 as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

I. Advertising devices located in areas adjacent to segments of the Interstate System which traverse commercial or industrial zones within the boundaries of incorporated municipalities wherein the use of real property adjacent to the Interstate System was subject to municipal regulation or control of outdoor advertising as of September 21, 1959.

Amend paragraph IV of RSA 249-A:3 as inserted by section 1 of the bill by adding at the end of the first sentence thereof the words and figures as amended on January 12 and March 26, 1960, so that said paragraph, as amended shall read as follows:

IV. Directional, informational signs in the specific interest of the travelling public, or other official signs and signals erected or maintained by state or other public agencies having jurisdiction, provided the erection of such signs is not inconsistent with the standards promulgated by the United States Secretary of Commerce dated November 10, 1958, as amended on January 12 and March 26, 1960. For the purpose hereof, informational signs are deemed to be in the specific interest of the travelling public only if they contain information about public places operated by federal, state or local governments, natural phenomena, historic sites, areas of natural scenic beauty or naturally suited for outdoor recreation, and places for camping, lodging, eating and vehicle service and repair. The commissioner of public works and highways is vested with authority to determine whether informational signs are in the specific interest of the travelling public.

Amend RSA 249-A:11 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

249-A:11 Informational Sites. Consistent with the provisions of section 3, paragraph IV, the commissioner of public works and highways shall establish informational sites for the erection and maintenance of signs, which (a) advertise places

for camping, lodging, eating and vehicle service and repair within twelve air miles of said signs and (b) give other information in the specific interest of the travelling public as set forth in said paragraph. He shall establish also at said sites, when sponsored as hereinafter provided, suitable facilities for distribution of general informational material which may be in the interest of the travelling public. Facilities of this nature shall be established only when sponsored by an appropriate state agency acting either in its own behalf or in behalf of a local or regional organization or organizations. The sponsoring agency shall be responsible for operating and staffing each such facility in accordance with standards set by the commissioner of public works and highways. The commissioner shall prepare and promulgate standards for said sites and all facilities of any kind, located therein and shall make reasonable annual charges for the use of advertising display facilities made available at said sites: provided further that the commissioner shall set standards by which the erection and maintenance of all advertising devices subject to the provisions of this chapter shall be regulated.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Takes Effect. This act shall take effect upon passage.

On motion of Mr. Galloway of Walpole reading of the amendments were dispensed with.

Mr. Galloway of Walpole explained the amendments.

Mr. Galloway of Walpole moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Newell of Concord, Stevenson of Bethlehem and Congdon of Troy as conferees on the part of the House.

Personal Privilege

Mr. Williamson of Goshen spoke on a point of personal privilege.

The Chair announced that today is the 40th wedding anniversary of Mr. and Mrs. Littlefield of Somersworth.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be in honor of Speaker Lamprey, and to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

368, relative to sales of liquor and beverages by hotels.

Reconsideration

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 368 and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Third Readings (cont)

HB 22, relative to the state board of fire controls.

HB 473, relative to the state council on aging.

HB 80, relative to fees and bonds for fish and game agents and eliminating the so-called stamp for fish and game licenses.

HB 330, relative to the Concord city charter.

HB 107, relative to certain teachers in the city of Manchester.

SB 155, legalizing the annual town meeting held in the town of Roxbury in 1961, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following Senate bills were read a third time, passed, and sent to the Senate for concurrence in the House amendments.

SB 43, relative to overpayment of income taxes.

SB 135, to repeal charters of certain corporations.

On motion of Miss Collyer of Lisbon the House adjourned in honor of Speaker Lamprey at 12:54 o'clock.

WEDNESDAY, JUNE 21, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, Reverend George Pennington, as follows:

Creative Spirit, fix our attention on Thee, we pray, that our thoughts, our speech and our deeds may be constructive and in the service of causes of which we justly may be proud.

So lay this on our shoulders, on the shoulders of our Governor, his Council and the members of the General Court that in all decision-making, deliberations and affairs of state there may be accomplished a clear and forthright service to the people of our State. Amen.

Pledge of Allegiance to the Flag

Mrs. Kinghorn of Piermont led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of 6th grade students from the Chester school, courtesy of Mr. Spollett of Chester.

Leaves of Absence

Messrs. Guest of Cornish and O'Neil of Chesterfield were granted leave of absence for the day on account of important business.

Mr. Bowler of Hanover was granted leave of absence for today and tomorrow on account of important business.

Mr. Quinn of Concord was granted leave of absence for today, tomorrow and next Tuesday on account of important business.

Mr. Carpenter of Henniker was granted leave of absence for the week on account of important business.

Reconsideration

The Chair announced that Mr. Quinn of Concord had served notice that today, or some subsequent day, he would ask the house to reconsider its vote whereby it passed HB 330, relative to the Concord city charter.

Committee Reports

Mr. Bowles of Portsmouth for the Committee on Executive Departments and Administration, HB 108, relative to the town of Hampton Municipal Development Authority. Ought to pass with amendment.

Amend said bill by striking out section 2 and inserting in place thereof the following:

2 Jurisdictional Area. "Area" the area located in the town and within the following boundaries: beginning at a point approximately two thousand feet north of the Taylor River at the intersection of the easterly sideline of the right-of-way of the New Hampshire turnpike with the southerly sideline of the right-of-way of the Exeter and Hampton Electric Company south of Drakeside road; thence following the southerly sideline of said Exeter and Hampton Electric Company right-of-way; in a general easterly direction to the point of its intersection with the westerly sideline of the right-of-way of Landing Road; thence following the said westerly sideline of Landing Road in a general southerly direction and thence in a general easterly direction as far as the southerly sideline of the Exeter and Hampton Electric Company right-of-way; thence following the southerly sideline of said Exeter and Hampton Electric Company right-of-way in a general easterly direction as far as the west bank of Tide Mill creek located at mean high tide; thence running to a point on the center line of Tide Mill Road one hundred feet north of the north abutment of the bridge across Tide Mill creek; thence running on a line in a general easterly direction to the southeasterly corner of the filter bed structure of the sewage treatment plant of the town of Hampton; thence following the wall of said filter bed structure in a general northerly direction as far as the sewer line which extends from the sewage treatment plant to Winnacunnet road in a general northeasterly direction; thence following said sewer line to a point three hundred feet southerly from

the southerly sideline of Winnacunnet Road and thence running southeasterly on a line three hundred feet from the southerly sideline of said Winnacunnet Road to the point of its intersection with a line three hundred feet westerly of the westerly sideline of Ocean Boulevard; thence turning and running in a general southerly direction on a line parallel to and three hundred feet westerly of the westerly sideline of Ocean Boulevard to a point in a line at a right angle perpendicular to Ocean Boulevard at the point of intersection of the easterly sideline of Ocean Boulevard with the northerly sideline of Dumas Avenue and three hundred feet westerly of the westerly sideline Ocean Boulevard; thence running in a general westerly direction in a straight line to a point on the center line of Glade Path one hundred and thirty-seven and one-half feet west of the town interceptor sewer at the northern end of Brown Avenue; thence running in a general southwesterly direction to the northeast corner of land of Carl Bragg on Island Path; thence running in a general southerly direction along the easterly boundary of said land of Carl Bragg to the intersection of the southern boundary line of the presently existing lots on the southerly side of Susan Lane; thence running easterly along said boundary line extended to a point three hundred and twenty-five feet westerly of the center line of Ashworth Avenue; thence running southerly on a line parallel to and three hundred and twenty-five feet westerly of the said center line of Ashworth Avenue to the northern boundary of the lots on the northerly side of Hobson Avenue; thence running westerly along said boundary line to the western boundary of the most westerly lot on said Hobson Avenue; thence running southerly along said western boundary line extended to a point of intersection with the southern boundary of the lots on the south side of Hobson Avenue; thence running easterly along said southern boundary line to the center line of the right-of-way of the proposed Brown Avenue extension; thence running southerly along said center line of the right-of-way of the proposed Brown Avenue extension extended in a straight line to the point of intersection with the Hampton-Seabrook town line south and west of the Neal Underwood Memorial Bridge; thence running in a general northerly direction along said Hampton town line to the point of intersection with the easterly sideline of the right-of-way of the New Hampshire turnpike; thence following the said easterly sideline of the New

Hampshire Turnpike in a general northeasterly direction to the point of beginning; with the omission of certain Island Path and Glade Path parcels which are to be excluded, said parcels being described as follows:

Island Path Parcel Exclusion

Beginning at a point, which is on the center line of Island Path and which is located as being approximately 250 feet westerly of the intersection of Brown Avenue and Island Path, as measured along the curved center line of Island Path, and proceeding thence; (1) in a southerly direction and along the aforementioned line of jurisdictional area to a point approximately 170 feet from the point of origin, said point being 150 feet from the center line of Island Path as measured at right angles, thence; (2) generally westerly along a line, which follows and is 150 feet equidistant from the center line of said Island Path, a distance of approximately 2,430 feet to a point, thence; (3) southerly, in a straight line a distance of approximately 90 feet to a point, said point being 200 feet from the center line of Island Path as measured at right angles, thence; (4) generally westerly along a line, which follows and is 200 feet equidistant from the center line of said Island Path, a distance of approximately 870 feet to its intersection with the Mean High Water line of the Hampton River, thence; (5) generally northwesterly and northerly along said Mean High Waterline of the Hampton River, a distance of approximately 750 feet, to a point created by the intersection of the said Mean High Water line with a line being parallel to and 300 feet from the center line of Island Path as measured at right angles and extended, thence; (6) generally easterly along a line, which follows and is 300 feet equidistant from the center line of said Island Path, a distance of approximately 1,450 feet to a point, thence; (7) southerly, in a straight line a distance of approximately 160 feet to a point, said point being 150 feet from the center line of Island Path as measured at right angles, thence; (8) generally easterly along a line, which follows and is 150 feet equidistant from the center line of said Island Path, a distance of approximately 2,400 feet to a point, thence; (9) generally southerly and along the aforementioned line of jurisdictional area, a distance of approximately 170 feet to the point of beginning; being an area of approximately 30 acres.

Glade Path Parcel Exclusion

Beginning at a point which is on the center line of Glade Path and which is located as being approximately 150 feet westerly of the intersection of Brown Avenue and Glade Path, as measured along the curved center line of Glade Path, and proceeding thence; (1) in a southerly direction and along the aforementioned line of jurisdictional area to a point approximately 170 feet from the point of origin, said point being 150 feet from the center line of Glade Path as measured at right angles, thence; (2) generally westerly along a line, which follows and is 150 feet equidistant from the center line of said Glade Path, a distance of approximately 1,980 feet to a point, thence; (3) generally northerly in a straight line, said line being along the southerly extension of Glade Path Loop — East, approximately 125 feet to a point, said point being 25 feet from the center line of Glade Path as measured at right angles, thence; (4) generally westerly and northerly along a line, which follows and is 25 feet equidistant from the center line of Glade Path Loop — South and Glade Path Loop — west a distance of approximately 1,050 feet to a point, said point being 150 feet from the center line of Glade Path Loop — north as measured at right angles, thence; (5) generally easterly and southerly along a line which follows and is 150 feet equidistant from the center line of said Glade Path Loop — North and Glade Path Loop — East, a distance of approximately 950 feet to a point, said point being 150 feet from the center line of Glade Path as measured at right angles, thence; (6) generally easterly along a line, which follows and is 150 feet equidistant from the center line of said Glade Path, a distance of approximately 2,000 feet to a point, thence; (7) in a southwesterly direction and along the aforementioned line of jurisdictional area a distance of approximately 220 feet to the point of beginning; being an area of approximately 20 acres.

Amend section 14 by inserting after paragraph (a) the following new paragraph:

(b) The final plan may provide that real property in a project area to be sold for development or redevelopment in accordance with such plan, shall first be offered to the owners in fee simple of real property in that project area from whom land was acquired by the authority. Such offer or offers shall be made under such procedure and in such manner as the au-

thority shall determine provided at least thirty days' notice of such offer and of its expiration date shall be given by publication. No such former owner shall be entitled by virtue of this paragraph to an offer for a larger proportion of the area so to be sold by the authority than is represented by the proportion the area of such former owner's land bears to the total project area. Nothing in this paragraph shall require the authority to offer property for sale at less than its highest marketable value or to reduce or change the size of any lot or otherwise to take action which would be inconsistent with the general purposes of the final plan.

Further amend section 14 by renumbering paragraph (b) to read paragraph (c).

On a *viva voce* vote the amendments were adopted and the bill was ordered to a third reading.

Mr. Rufo of Concord for the Committee on Public Welfare and State Institutions, HB 298, to limit the period for which past due support of institutional inmates may be recovered and the rate for support of inmates at Laconia State School. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act to limit the period for which past-due support of institutional inmates may be recovered.

Amend said bill by striking out section 2 and by renumbering section 3 to read section 2.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Gove of Concord moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for 2 days.

Mr. Gove explained the bill.

On a *viva voce* vote the motion was adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, HB 396, to incorporate New Hampshire Dental Service Corporation. Ought to pass with amendment.

Amend paragraph (1) of section 2 of the bill by striking out the words "dental service" in line 1; further amend by inserting after the word "associations" in the second line the words, partnerships, sole proprietorships; and further amend by inserting after the word "for" in the third line the word, their, so said paragraph as amended shall read as follows:

(1) To establish, maintain and operate a non-profit plan or plans whereby corporations, associations, partnerships, sole proprietorships, unions or other similar organizations which may become subscribers thereto may provide dental care for their employees or members and their dependents; and in furtherance thereof to enter into contracts with dentists duly licensed to practice under the laws of the State of New Hampshire whereby such dentists agree to provide dental care to the subscribers' employees or members and their dependents in conformity with professional standards established by the dental profession in this state, and the rules of conduct and procedures established by such corporation. The term "dental care" includes general and special dental services ordinarily provided by such licensed dentists in accordance with the accepted practices of the community at the time the service is rendered, and the furnishing of necessary appliances, drugs, medicines and supplies, prosthetic appliances, orthodontic appliances, metal, ceramic or other restorations.

Amend paragraph (3) of section 2 by striking out the same and inserting in place thereof the following:

(3) Contracts between this corporation and its subscribers pursuant to the purposes of this act shall not be considered insurance contracts and such contracts shall be exempt from the provisions of the insurance laws of this state. No provisions of this act or any contract for dental service by this corporation shall in any way effect the operation of workmen's compensation laws of the state.

Amend section 9 of said bill by striking out the words "together with the approval of the insurance commissioner," in the eighth line, so that said section as amended shall read as follows:

9 Capital. The amount of assets with which the corporation will start its corporate functions is one thousand dollars, which funds will be advanced to the corporation either in cash or securities by the New Hampshire Dental Society, for the purpose of meeting the contractual obligations to its subscribers immediately upon its assumption of corporate activities, said loan not to be repaid by the corporation either in whole or in part except from surplus and upon authorization of at least a majority of the board of directors.

On motion of Mr. Gove of Concord reading of the amendments were dispensed with.

Mr. Gove explained the amendments.

(discussion ensued)

On a *viva voce* vote the amendments were adopted and the bill was ordered to a third reading.

Mr. Pillsbury of Manchester moved that the rules of the House be so far suspended as to place HB 396 on third reading and final passage at the present time.

Mr. Pillsbury spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Third Reading

HB 396, to incorporate New Hampshire Dental Service Corporation, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Sheridan of Berlin served notice that today, or some subsequent day, he would ask the House to reconsider its vote whereby it passed HB 256, relative to technical institutes and vocational-technical schools.

Mr. Bigelow of Warner moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Bigelow of Warner for the Committee on Banks, SB 134, relating to La Caisse Populaire Ste. Marie or St. Mary's Bank. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pillsbury of Manchester moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Pillsbury of Manchester for the Committee on Judiciary, HB 480, relating to the election of representatives to the general court. Ought to pass with amendment.

Amend section 1 of said bill as follows:

1. Insert after the word "Lyme" the word, Woodstock.
2. Insert after the word "Lancaster" the word, Northumberland.
3. Strike out the words and figures "Manchester ward 14" under the paragraph for four representatives and insert under the paragraph for five representatives the words and figures, Manchester ward 14.

Amend section 2 of said bill by changing the representation for Center Harbor to the following: 1962, 1964, 1970.

Further amend section 2 by inserting in the paragraph for Cheshire County the following: Sullivan 1966.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Pillsbury of Manchester moved that the rules of the House be so far suspended as to place HB 480 on third reading and final passage at the present time.

On a *viva voce* vote the motion was adopted.

Third Reading

HB 480, relating to the election of representatives to the general court, was read a third time, passed, and sent to the Senate for concurrence.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 407, relative to the Workmen's Compensation law.

HB 366, relative to motor vehicle sales finance.

Senate Message

The Senate Message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 442, relative to the licensing of real estate brokers and salesmen.

HB 354, relating to the disinfection of public water supply systems.

HB 412, relative to additional grants of school building aid.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 346, establishing a department of resources and economic development, merging therein planning and development, forestry, recreation and transferring thereto for limited purposes the water resources board and the New Hampshire state port authority.

Amend said bill by inserting after section 9 thereof the following new section:

10 No more than four members of the advisory council herein established shall be members of the same political party.

Further amend said bill by renumbering section 10 to read section 11.

Amend paragraph II of section 2 of the bill by inserting at the end of said paragraph the following words, The authority of the governor and council to approve the filling of vacancies in the classified service after July 1, 1961 as hereinabove provided, shall terminate as of June 30, 1963, so that said paragraph as amended shall read as follows:

II. With the approval of the governor and council the commissioner of resources and economic development after consultation with directors of divisions concerned, is authorized to transfer classified personnel, appropriations or portions thereof relating thereto as well as necessary equipment, within any division or between divisions of the department; provided, however, that no such transfer shall eliminate classified positions so transferred. Vacancies in classified positions occurring after July 1, 1961, in any department or agency transferred by the terms of this chapter, shall not be filled without the approval of the governor and council, provided that after written notification of vacancies to be filled are received by the governor and council from department directors, and if no action is taken on these requests within thirty days, the director of the division concerned may fill such vacancy or vacancies forthwith. No permanent classified employee of any agency in the state service affected by this chapter, so employed upon the effective date of this act shall be required to take an examination to remain in his position. The authority of the governor and council to approve the filling of vacancies in the classified service after July 1, 1961 as hereinabove provided, shall terminate as of June 30, 1963.

Mr. Chandler of Bartlett moved that the House concur in the Senate amendments and spoke in favor of the motion.

Mr. Chandler explained the amendments.

Mr. Watson of Belmont moved that HB 346 with pending amendments be laid on the table.

Mrs. Roulston of Salem demanded the Yeas and Nays and the roll was called as follows:

YEAS 164

ROCKINGHAM COUNTY: Griffin, Weeks, Spollett of Hampstead, Sewall, Twardus, McDaniel, Palmer, Murch, Waterhouse.

STRAFFORD COUNTY: Berry, Leighton, O'York, Heald, Littlehale, Reid, Rolfe, Marsan, Maxfield, Potvin, St. Pierre, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Rollins, McAllister, Watson of Belmont, Harkins, Normandin.

CARROLL COUNTY: Nickerson of Tamworth, Claffin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Hanson, Moore, York, Davis of Concord, Henry, Gibson, Bingham, Lovejoy, Gove, Newell of Concord, McKay, Stevens, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Brown of Loudon, Thompson of Northfield, Plourde, Thibeault.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Farwell, Claveau, Gallagher, Provencal, Lang, Pettigrew, Geisel, Pillsbury, Bruton, Hayes, Burke, Cullity, Nolan, Manning, Szelog, Walsh, Casey, Clancy, Ecker, O'Conner, LaFrance, LeClerc, Tessier, Compagna, Cote, Craig, Delisle, Healy of Manchester, Ward 8; Cary, Morris, Belanger, Bergeron, King, Hurley, Lemay, Levasseur, Nalette, Chapdelaine, Lesmerises, Rousseau, Crowley, Gamache, Falconer, Dionne of Nashua, Ward 2; Rosedoff, Belcourt, Kirkorian, Brosnahan, Maynard, Pappagianis, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Bouthillier, Locke, Rice.

CHESHIRE COUNTY: Gowing, Clark of Harrisville, Stearns, Desmarais, Bennett, Faulkner, Kretowicz, Oliver, Crain, Congdon.

SULLIVAN COUNTY: Frizzell, Cann, Gaffney, Prudhomme, Angus, Nahill, Barrows, D'Amante, Desnoyer, Williamson, Bailey, Downing, Vaughan, DeLude.

GRAFTON COUNTY: Willey, Morse, Hayward of Hanover, Neale, Coutermarsh, Demers, Collyer, Kinghorn, Bell, Barney, Bradley, Anderson.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Bushey, Stinson.

NAYS 194

ROCKINGHAM COUNTY: White of Atkinson, Vey, Persson, Spollett of Chester, Deming, Scott of Deerfield, Kimball of Derry, Scott of Derry, White of Derry, Nickerson of East

Kingston, Hackett, Collishaw, Eastman of Exeter, Purington, Tufts, Wylie, Casassa, Clark of Kingston, Shepard, Jenkins, Hislop, Cheney, Carter, Pinkham, Driscoll, Stafford, Dame, Osborn, White of Portsmouth, Ward 4; Ingraham, White of Portsmouth, Ward 5; Carkin, Cross, Langford, Greene of Rye, Magoon, Peever, Roulston, Felch, Barker.

STRAFFORD COUNTY: Blanchette, Fellows, Stonemetz, Colbath, Karkavelas, Richardson, Flanagan, Drew, Clark of Lee, Adams of Madbury, Watson of Rochester, Johnson of Rochester, Clement, Varney, Green of Rollinsford, Maloomian, Wyatt.

BELKNAP COUNTY: Matheson, Lord, Robertson, Lacaillade, McCarthy, Ayre, Prescott, Stothart, Dulac, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Taylor of Ossipee, Brown of Sandwich, Kurth, Fox, Chamberlain.

MERRIMACK COUNTY: Hutchinson, Allen of Concord, Audet, Hancock, Sanders, Barnard, Welch, Jennings of Concord, Rufo, Brown of Danbury, Broek, Mulaire, London, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Wiggin of Bedford, Aucella, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Taft, Eaton, Brocklebank, Warren, Ainley, Soucy, Goode, Hart, Martel, Linehan, Dupont, Healy of Manchester, Ward 6; Roche, Dumas, Allard, Daniel of Manchester, Deans, Cole, Cooper, Milliken, Underhill, Sullivan, Sablusi, Karnis, Peabody, Peterson, Eastman of Weare, Draper.

CHESHIRE COUNTY: Totman, Watkinson, Turner, Cournoyer, Haley, Keating, Terrill, Parker, Miskelly, Pickett, Allen of Rindge, Hackler, Ballam, Galloway, Wildey, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Campbell, Weber, Spalding, Merrifield.

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Plumer, Chandler of Canaan, Johnson of Franconia, Gage, Low, Larty, Karsten, Adams of Lebanon, Beard, Porter, Whipple, McGee, Burrill, Hill of Littleton, Martin, Haskins, Cushman, Loizeaux, Avery, Berringer.

COOS COUNTY: Ledoux, Marsh, Oakes, Emerson, Crockett, Graham, Kimball of Jefferson, Bragg, Shute, Potter of Northumberland, Converse, Brooks, Taylor of Whitefield.

and the motion to lay HB 346 on the table was lost.

The question now being on the motion that the House concur in the Senate amendments.

Mr. King of Manchester requested a division.

186 members having voted in the affirmative and 155 in the negative the amendments were adopted.

Mr. Goode of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it adopted the Senate amendments on HB 346 and spoke against the motion.

On a *viva voce* vote the motion was lost.

Mr. Allen of Concord moved that the House reconsider its vote whereby it passed HB 330, relative to the Concord city charter and spoke in favor of the motion.

Mr. Audet of Concord spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Gibson of Concord offered the following amendment and moved its adoption:

Amend section 4 by striking out said section and inserting in place thereof the following:

4 Takes Effect. This act shall take effect January 1, 1962.

On a *viva voce* vote the amendment was adopted, and the bill was ordered to a third reading.

Reconsideration

Mr. Pillsbury of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 480, relating to the election of representatives to the general court, and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it placed HB 480 on third reading and final passage.

(discussion ensued)

On a *viva voce* vote the motion was adopted.

Mr. Pillsbury of Manchester moved that HB 480 be recommitted to the committee on Rules.

On a *viva voce* vote the motion was adopted.

Mr. Goode of Manchester moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

On a *viva voce* vote the motion was adopted.

Mr. Goode of Manchester for the Committee on Appropriations, HB 471, relative to the salaries of the secretary of state and the state treasurer. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

relative to the salaries of the secretary and deputy secretary of state and the state treasurer and deputy state treasurer

Amend section 3 of the bill by adding at the end thereof the following: "Deputy secretary of state 7098 8164"

"Deputy state treasurer 7098 8164"

so said section as amended shall read as follows:

3 Official Salaries. Amend RSA 94:1 (supp) as amended by 1957, 274:4 by striking out the following lines:

"Secretary of state 8268 9516"

"State treasurer 8268 9516"

"Deputy secretary of state 7098 8164"

"Deputy state treasurer 7098 8164"

Amend said bill by inserting after section 3 the following new sections:

4 Deputy Secretary of State. Amend RSA 5:18 by striking out the words "that prescribed by RSA 94:1-4" in the second line and inserting in place thereof the words, nine thousand five hundred dollars, so that said section as amended shall read as follows: 5:18 Salary. The annual salary of the

deputy secretary of state shall be nine thousand five hundred dollars.

5 Deputy State Treasurer. Amend RSA 6:24 by striking out the words "that prescribed by RSA 94:1-4" in the second line and inserting in place thereof the words, nine thousand five hundred dollars, so that said section as amended shall read as follows: 6:24 Salary. The annual salary of the deputy state treasurer shall be nine thousand five hundred dollars.

6 Appropriation. There is hereby appropriated for the additional amounts herein provided for the above named officers the sum of nine thousand three hundred twenty-one dollars and forty cents for the year ending June 30, 1962 and the sum of six thousand eight hundred fifty-eight dollars and sixty-one cents for the year ending June 30, 1963. The sums hereby appropriated shall be a charge upon the general funds.

7 Limitation. The salaries as provided for the above named officers shall be in full compensation for their duties and any acts passed at the present session of the general court providing for salary increases for unclassified employees shall not apply to said officers.

Further amend said bill by renumbering section 4 to read section 7.

On motion of Mr. Goode of Manchester reading of the amendment was dispensed with.

Mr. Goode explained the amendments.

Mr. Pillsbury of Manchester spoke against the motion.

Mr. King of Manchester spoke in favor of the motion.

(discussion ensued)

On a *viva voce* vote the motion to dispense with the reading of the amendment was lost.

The Clerk read the amendment in full.

The Chair laid the bill with pending amendment on the table for printing of the amendment.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 199, An Act relating to the salaries of mayor and councilmen of the city of Franklin, having considered the same, report the same with the following recommendations: That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Payment to Councilmen. Amend chapter 260 of the laws of 1893 by inserting after section 11 the following new section: 11-a Each councilman shall be paid from the city a sum to be established by the council, after notice and public hearing, not to exceed twenty-five dollars, for each regular monthly meeting of the city council which he attends, but not exceeding twelve meetings in any year. Said sums shall be paid to each councilman quarter-annually and shall be in full payment for all services of any and every kind rendered by him as councilman.

Amend section 2 of the bill by striking out after the word "cause" in the ninth line the words "The mayor shall receive in full for his services an annual salary of two hundred dollars payable semi-annually, which shall be in full for all services of every kind rendered by him in said office" and inserting in place thereof the following: The mayor shall be paid out of the city treasury an annual salary to be established by the council, not to exceed two thousand dollars, after notice and public hearing, payable quarter-annually, which shall be in full for all services of any and every kind rendered by him in said office. The mayor shall not be paid any fixed sum as an expense account but shall be reimbursed only for such specific expenses made by him in connection with his office as may be authorized and approved by the council prior to being incurred, provided, however, that the sums so authorized by the council shall not exceed two hundred fifty dollars for any one year, so that said section as amended shall read as follows: Sec. 12 The mayor of said city shall be chosen annually, and shall have a negative upon all the actions of the council to which his veto power would extend had the city government herein constituted provided for a board of aldermen. He shall preside in the meetings

of the city council, but shall have no vote except in case of an equal division. In his absence the council may elect one of their number chairman, who shall have all the powers and perform all the duties of mayor during his absence or disability, or a vacancy in said office for any cause. The mayor shall be paid out of the city treasury an annual salary to be established by the council, after notice and public hearing, not to exceed two thousand dollars, payable quarter-annually, which shall be in full for all services of any and every kind rendered by him in said office. The mayor shall not be paid any fixed sum as an expense account but shall be reimbursed only for such specific expenses made by him in connection with his office as may be authorized and approved by the council prior to being incurred, provided, however, that the sums so authorized by the council shall not exceed two hundred fifty dollars for any one year.

Further amend the bill by inserting after section 2 a new section as follows:

3 Nothing in this act shall be construed as legislative endorsement of the maximum limits specified in sections 1 and 2 as presently suitable pay or remuneration for either the mayor or members of the city council, it being the intent hereby merely to remove the previously specified amounts and to vest in the city council the determination of suitable remuneration.

Further amend the bill by renumbering section 3 to read section 4.

Eugene S. Daniell, Jr.

David Deans, Jr.

Wiggin S. Gilman

Conferees on the part of the House

James C. Cleveland

Marion L. Phillips

Conferees on the part of the Senate

On a *viva voce* vote the House concurred in the committee of conference report.

Resolutions

Mr. Daniell of Franklin offered the following resolution and moved its adoption:

Resolved, that the Senate be informed that the House of Representatives desires to take final action on House Bill 43, relating to small loans and interest rates, and respectfully requests the Honorable Senate to take prompt action on said bill.

Mr. Daniell spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

A further Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 123, to impose an operating fee on aircraft.

Senate Bill Read and Referred

SB 123, to Appropriations.

Supreme Court Decision

To the House of Representatives:

The Justices of the Supreme Court submit the following reply to the inquiries contained in your resolution of June 15 relating to the effective date of the amendment to the New Hampshire Constitution, Part II, *Art.* 15th, adopted by the Constitutional Convention December 2, 1959 and proclaimed to be effective by the Governor on November 30, 1960.

The power of the Legislature to fix and determine the effective date of amendments to the State Constitution is established by Article 98 of Part II of the Constitution, which reads as follows: “[Constitution, When to Take Effect.] To the end that there may be no failure of justice, or danger to the state, by the alterations and amendments made in the constitution, the general court is hereby fully authorized and directed to fix the time when the alterations and amendments shall take effect, and make the necessary arrangements accordingly.” See also, Article 99. The concurrent resolution which is pending before the Legislature seeks to postpone the effective date of the amendment to Article 15th, Part II of the Constitution until January 1, 1963, although the effective date of the amendment has already been proclaimed by the Governor as being November 30, 1960. The concurrent resolution reads as follows: “That the General Court of the State of New Hampshire

does hereby fix January 1, 1963 as the effective date of the amendment to Article 15, Part Second of the Constitution approved by the qualified voters of the state at the meetings held on the Tuesday next following the first Monday in November, 1960." Journal of the House for Thursday, June 15, 1961 at p. 10.

Questions 1 and 2 may be considered together. Question 1 is whether the amendment is presently in effect and question 2 is whether the amendment may take effect on January 1, 1963 if the concurrent resolution is adopted. Both of these inquiries were substantially answered on July 22, 1889 in *Opinion of the Justices*, 76 N. H. 612. That advisory ruling stated that the Legislature has the power and authority to fix the time when constitutional amendments approved by the people shall take effect, but such authority may be delegated to the Constitutional Convention and when so delegated and exercised by the Convention the time fixed by the Convention is valid and cannot be changed by a later Legislature. That advisory opinion controls the present situation. See *Rix v. Asadoorian*, 103 N. H. — (decided this day).

The Constitutional Convention of 1959, originally authorized by Laws 1955, c. 42, on December 2, 1959 adopted the following resolution: "IX. *Resolved*, That such of the proposed amendments as shall have been approved by the requisite number of votes shall take effect and be in force when their adoption is proclaimed by the Governor." Certificate of the President of the Constitutional Convention (1959) p. 4, in manuscript form in the office of the Secretary of State. Pursuant to resolution VIII of the same convention the amendment to Part II, Article 15th, relating to mileage of the legislators was proclaimed by the Governor on November 30, 1960. New Hampshire Manual for the General Court (No. 37, 1961) p. 622 (popularly known as the Red Book). Since the authority to fix the effective date of this amendment was delegated to the Constitutional Convention and the delegated authority has been exercised, the Legislature has no power to change it thereafter. Consequently, the answer to your first question is yes and the answer to the second question is no.

The third question submitted reads as follows: "What action is required of the General Court by the provisions of Article 98, Part Second of the Constitution of the State of New

Hampshire?" In view of the answers given to questions 1 and 2, it logically follows that no action is required by the General Court in connection with the Constitutional amendment to Part II, Article 15th. See White, Amendment and Revision of State Constitutions, 100 U. of Pa. L. Rev. 1132, 1142 (1952); *Opinion of the Justices*, 102 N. H. 565, 568.

Frank R. Kenison
Laurence I. Duncan
Amos N. Blandin, Jr.
Edward J. Lampron
Stephen M. Wheeler

June 21, 1961.

Senate Message

A Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 418, relative to legislative mileage.

Amend said bill by inserting after section 1 the following new section:

2 City of Concord. Amend RSA 14:17-a (supp) as inserted by 1959, 168:1 by striking out said section and inserting in place thereof the following: 14:17-a Attachés. For the purpose of the computation of travel allowance for officers or employees of the general court, residing in wards 2 to 9 of the city of Concord, in accordance with the provisions of RSA 14:18 the mileage allowance shall be based upon a distance of six miles for a one-way trip.

Further amend said bill by renumbering sections 2 and 3 to read sections 3 and 4.

On motion of Mr. Clement of Rochester the House concurred in the amendment.

A further Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 9, to provide protection for Boar's Head at Hampton.

Senate Joint Resolution Read and Referred

SJR 9, to Appropriations.

Resolutions

Mr. Emerson of Dalton for the Coos County Delegation offered the following resolutions:

Whereas, R. Wilbur Potter, Representative from Milan and Member of the Committee on Resources, Recreation and Development in the House, has passed away, therefore be it

Resolved, That we, the Members of the House of Representatives of the New Hampshire General Court from the County of Coos, for ourselves and for the other Members of the House of Representatives, express our regret at the passing of our Fellow Member and extend our deep sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to Mrs. Potter.

On a rising vote and one minute of silent prayer the resolutions were unanimously adopted.

Reconsideration

Mr. King of Manchester moved that the House reconsider its vote whereby it passed HB 256, relative to technical institutes and vocational-technical schools, and spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion to reconsider was lost.

The Chair announced that today is the birthday of Mr. London of New London.

Mr. Edward C. Healy, the member from Manchester Ward 8, desired to be recorded as voting in favor of reconsideration of HB 346.

(Mr. Martel of Manchester in the Chair)

On motion of Mrs. St. Pierre of Rochester (in French) the rules of the House were so far suspended as to permit business

in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 330, relative to the Concord city charter.

HB 298, to limit the period for which past-due support of institutional inmates may be recovered.

HB 108, relative to the Town of Hampton Municipal Development Authority.

SB 134, relating to La Caisse Populaire Ste. Marie or St. Mary's Bank, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Martin of Littleton the House adjourned at 1:30 o'clock.

THURSDAY, JUNE 22, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Guest Chaplain, Reverend Roswell Moore of the Christ Episcopal Church of Exeter, as follows:

O God, Holy and Just, who exaltest a nation that follows the way of righteousness, we pray for our land and people that we may become worthy of thy gracious favour. Deliver us in all our thoughts and actions from greed of gain, from race and class prejudice and ill-will, from all causes of discontent and strife; and inspire in us, we beseech thee, such love of our neigh-

bour and concern for one another's welfare that we may work together with one heart and will to secure equality of opportunity and due reward for all; through Jesus Christ our Lord. Amen.

Pledge of Allegiance to the Flag

Mr. Emerson of Dalton led the Convention in the Pledge of Allegiance to the Flag.

House

Guests

The Chair introduced a group of 5th and 6th grade students from the Brookline school, courtesy of Mr. Farwell of Brookline.

Introduction of a House Joint Resolution

HJR 44, in favor of the estate of R. Wilbur Potter, was read a first and second time and referred to the committee on Appropriations.

Mr. Deans of Milford moved that reference to committee be vacated, public hearing be dispensed with, and that the resolution be ordered to a third reading at the present time.

On a *viva voce* vote the motion was adopted.

Third Reading

HJR 44, in favor of the estate of R. Wilbur Potter, was read a third time, passed, and sent to the Senate for concurrence.

Committee Reports

Mr. Eaton of Hillsborough for the Committee on Executive Departments and Administration, HB 165, relative to expenditure of state appropriations. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Deficit Control by Advisory Budget Control Committee. Amend RSA 9 by inserting after section 13 the following new subdivision:

Deficit Control

9:13-a Advisory Budget Control Committee. There shall be an advisory budget control committee comprised of five members as follows: The chairman of the house appropriations committee who shall be chairman of the advisory budget control committee, the chairman of the senate finance committee, two members of the house to be appointed by the speaker of the house who shall also be members of the house appropriations committee, and a fifth member who shall be appointed by the president of the senate and shall be a member of the senate finance committee. At least one member appointed by the speaker of the house shall not be a member of the same political party as the chairman of the house appropriations committee. The member appointed by the president of the senate shall not be a member of the same political party as the chairman of the senate finance committee. Members of the advisory budget control committee shall be appointed during the regular session of the general court and shall hold office until their successors are appointed and qualified at the following regular session of the general court. Vacancies in membership of the advisory budget control committee shall be filled by the presiding officer of that branch of the general court in which said members hold office, or if there be no presiding officer, by the chairman of the appropriations committee of the house or the finance committee of the senate as the case may be.

9:13-b — Meetings. The advisory budget control committee shall meet at the call of the chairman and shall confer with the governor at such times as in the opinion of the governor it is in the public interest.

9:13-c — Duties; Powers of Governor. Should it be determined by the director of accounts that during three consecutive months there has occurred such a decline in state revenues as would, if continued, cause a serious deficit in the total state budget, the director of accounts shall immediately report the fact to the governor. On receipt of such report the governor may with the advice and consent of the advisory budget control committee, order reductions in rates of expendi-

tures within all or any departments of state government, so that such decline in revenue will not result in the incurrence of further state debt. The governor with the advice and consent of the advisory budget control committee, may from time to time revise such reductions in rates. The governor may terminate the application of such reductions in rates at any time he finds that their continued application is no longer necessary or advisable, and shall so terminate them whenever the advisory budget control committee votes that they shall be discontinued.

2 Takes Effect. This act shall take effect upon its passage.

At the request of Mr. Pillsbury of Manchester, Mr. Eaton of Hillsborough explained the bill.

(discussion ensued)

Mr. Newell of Concord spoke against the amendment.

Mr. Goode of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Chandler of Bartlett moved that the rules of the House be so far suspended as to vacate the order whereby SB 88, to grant tax exemption to national veterans associations, was referred to the Ways and Means committee and that the bill be referred to the committee on Military and Veterans' affairs.

Mr. Chandler of Bartlett spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Jenkins of New Castle moved that the rules of the House be so far suspended as to dispense with the public hearing on SB 88, reference to committee and that the bill be taken up at the present time.

On a *viva voce* vote the motion was adopted and the bill was ordered to a third reading.

Mr. Hanson of Bow for the special committee consisting of the members from the county of Merrimack, HB 404, relative to salary for the register of deeds for Merrimack County. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Bigelow of Warner for the Committee on Banks, HB 209, to clarify and make more uniform the laws relating to banking and to make certain technical amendments thereto. Ought to pass with amendment.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Technical Clarification. Amend RSA 384:4 by striking out the word "other" in the second line and by inserting after the word "rate" in the ninth line the words, on loans, so that said section as amended shall read as follows:

384:4 Investment Committee; Officers. Said board shall elect an investment committee of not less than three of its members, and such officers as may be necessary for the transaction of the business of the corporation. The investment committee or the board of trustees of a savings bank or the board of directors of a trust company shall approve all loans, all changes in mortgage or other security for loans, all purchases and sales of bonds, stocks, notes, and other investments and shall perform such other duties, not inconsistent herewith, as the by-laws may prescribe. No change in any interest rate on loans shall be made without the approval of the investment committee or the board of trustees or directors.

Amend section 6 of said bill by striking out said section and inserting in place thereof the following:

6 Clarification. Amend RSA 384:15 by striking out said section and inserting in place thereof the following: 384:15 Loans to Officers and Others. Loans may be made by state-chartered banks, savings banks, trust companies, building and loan associations or cooperative banks to officers, directors or trustees thereof, and such officers, directors or trustees may be accepted as surety, endorser or guarantor upon such loans only by unanimous approval in writing of those members of the board of directors or trustees present at the meeting at which such approval is given, provided there is at least a quorum of the board present exclusive of the director or trustee to whom the loan is to be made. The limitations of this section shall not apply to loans secured by assignment of passbook or other evidence of deposit account.

Amend section 11 of said bill by striking out said section and inserting in place thereof the following:

11 Prohibition of Interlocking Interests. Amend RSA 384 by inserting after section 5 the following new section: 384:5-a Limitation. No person shall be a trustee or officer of two savings banks at the same time and no trustee or officer of a savings bank shall at the same time serve as a director or officer of a cooperative bank, building and loan association, or federal savings and loan association.

Further amend the bill by inserting after section 11 the following new sections:

12 Reports. Amend RSA 383:13 by striking out the word "fifteen" in the third line and inserting in place thereof the word, "twenty", and by adding at the end thereof the words, Any institution which neglects to make said report within the time herein prescribed shall forfeit to the state five dollars for each day during which such neglect continues, so that said section as amended shall read as follows: 383:13 Bank Reports. The treasurers of all institutions under the supervision of the commissioner shall balance their books at the close of business on the last business day in June in each year, and within twenty calendar days thereafter shall make reports to the commissioner, upon blanks furnished by him, showing the true conditions of the institutions at that time. The commissioner shall prescribe what information the reports shall contain and their form, and shall seasonably furnish blanks upon which they shall be made. Any institution which neglects to make said report within the time herein prescribed shall forfeit to the state five dollars for each day during which such neglect continues.

13 Number of Reports. Amend RSA 390:11 by striking out the word "five" in the second line and inserting in place thereof the word, two, so that said section as amended shall read as follows: 390:11 Reports. Every such corporation shall, in such form and at such time as the commissioner may require, but not exceeding two times within any calendar year, make a report to said commissioner, signed and sworn to by its president or treasurer and attested by the signatures of not less than three of its directors, showing accurately the condition of such corporation.

14 Penalty and time Limit. Amend RSA 390:12 by striking out the word "ten" in the first line and inserting in place thereof the words, twenty calendar, and by adding at the end thereof the words, any such corporation which neglects to make such report to the commissioner within the time herein prescribed shall forfeit to the state five dollars for each day during which such neglect continues, so that said section as amended shall read as follows: 390:12 — Form; Publication. Such report shall be made within twenty calendar days of receipt of notice, shall exhibit in detail and under appropriate heads the resources and liabilities of the corporation at the close of business on any past day specified by the commissioner, and shall be published by and at the expense of such corporation in a newspaper in the place where such corporation is established, if there be one, otherwise in one published nearest thereto in the same county, at such times and in such form as may be directed by the commissioner. Any such corporation which neglects to make such report to the commissioner within the time herein prescribed shall forfeit to the state five dollars for each day during which such neglect continues.

Further amend said bill by renumbering section 12 to read section 15.

On motion of Mr. Bigelow of Warner, reading of the amendment was dispensed with. Mr. Bigelow explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Cooper of Nashua for the Special Committee consisting of the Members from the City of Nashua, SJR 10, creating the Nashua Airport Authority, having considered the same, report the same with the following resolution:

Resolved, That House Bill No. 487, covering the same subject matter, be substituted for Senate Joint Resolution No. 10, which was presented in incorrect form.

On a *viva voce* vote the recommendation of the committee was adopted.

Mr. Pappagianis of Nashua moved that the rules of the House be so far suspended as to permit the introduction of a

bill not previously considered by the Rules committee, and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Introduction of a Bill

HB 487, creating the Nashua Airport Authority, was introduced, read a first and second time and referred to the Nashua Delegation.

Mr. Pappagianis of Nashua moved that the rules of the House be so far suspended as to dispense with committee reference and public hearing, and that the bill be considered at the present time.

On a *viva voce* vote the motion was adopted and the bill was ordered to a third reading.

Mr. Pappagianis of Nashua moved that the rules of the House be so far suspended as to put HB 487 on third reading and final passage at the present time.

On a *viva voce* vote the motion was adopted.

Third Reading

HB 487, creating the Nashua Airport Authority, was read a third time by title only, passed, and sent to the Senate for concurrence.

Mr. London of New London for the Committee on Judiciary, SB 148, establishing the penalty for collusive bidding on contracts for public works or purchase. Ought to pass with amendment.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Collusive Bidding: Amend RSA 580 by inserting after section 30 the following new subdivision:

Collusive Bidding

580:31 Penalty. Any person or corporation who wilfully, knowingly, and with intent to defraud makes or enters into a contract, agreement, arrangement or combination to submit a fraudulent or collusive bid or to refrain from submitting a bona fide competitive bid to any department, board or agency

of the State of New Hampshire or any political subdivision thereof on a contract for public works or purchase of equipment, supplies or other personalty, shall be fined not more than five thousand dollars or imprisoned for not more than two years.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Rice of Peterborough for the Committee on Resources, Recreation and Development, HJR 42, relative to funds for improvements at Chandler's Cove. Ought to pass.

The report was accepted and the Chair referred HJR 42 to the committee on Appropriations under the rules.

Taken from the Table

HB 471, relative to the salaries of the Secretary of State and the State Treasurer, was taken from the table.

The question being on the committee amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

Messrs. Goode and King of Manchester, Clement of Rochester and Pickett of Keene spoke in favor of the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

The question now being, shall the bill be read a third time.

Mr. Pillsbury of Manchester moved that HB 471 be re-committed to the committee on Appropriations.

On a *viva voce* vote the motion was adopted.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to permit the business in order for Tuesday next to be in order at the present time.

Mr. Henry of Concord for the Committee on Aviation.

SB 147, pertaining to Dillant-Hopkins Airport. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Henry of Concord for the Committee on Aviation, SB 150, relative to the financing of the Lebanon Regional Airport and the contributions towards financing the same. Ought to pass, with amendment.

Amend section 1 of the bill by striking out the word "monthly" in the thirteenth line and inserting in place thereof the word, annually, so that said section as amended shall read as follows:

1 Repayment of Vermont Grant. A percentage of all the service fees remitted to the New Hampshire Aeronautics Commission, as required by RSA 422:43 and 44 (supp), relative to passengers emplaning at the Lebanon Regional Airport, shall be paid to the State of Vermont until it shall have been repaid the sum of \$16,500.00 which it granted to the Lebanon City Council for use at said airport. Said percentage shall be calculated and established by said commission by dividing the total of the final complete amount received by said council from said commission under the provisions of RSA Title XXXIX as amended, to be expended on Lebanon Federal Aid Airport Project No. 9-27-006-6002 and \$16,500.00 into \$16,500.00. The state treasurer is hereby directed, authorized and empowered, upon certification of said commission, to make payments of said percentage annually to the State of Vermont until said sum of \$16,500.00 shall have been repaid in full.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the Chair referred the bill to the committee on Appropriations under the rules.

Mr. Collishaw of Exeter for the Committee on Liquor Laws, HB 272, relative to the purchase of intoxicating liquor. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following: An act relative to the consumption of liquor and beverages.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Consumption of Liquor and Beverages. Amend RSA 175 by adding at the end thereof the following new section: 175:15 Certain Public Places. No person or persons operating a restaurant open to the public, nor any person or persons conducting a public dance shall knowingly permit any liquor or beverages to be consumed in said restaurant or at said public dance unless such consumption is authorized under other provisions of this title. Any person violating any provisions of this section shall be fined not more than fifty dollars or imprisoned not more than sixty days, or both.

2 Takes Effect. This act shall take effect sixty days after its passage.

Mr. Collishaw of Exeter spoke in favor of the amendment.

(discussion ensued)

Mr. MacIsaac of Laconia moved that HB 272 be indefinitely postponed and spoke in favor of the motion.

Mr. Collishaw of Exeter spoke against the motion.

Messrs LaFrance of Manchester, Murch of Portsmouth, Sheridan of Berlin spoke against the motion.

Mr. MacIsaac of Laconia withdrew his motion to indefinitely postpone HB 272.

The question being on the committee amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

The Chair declared a one hour recess.

After Recess

Senate Message

The Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 46, providing for salaries for classified and unclassified state employees.

Amend section 13 by inserting after the second line the following:

and who shall be fully qualified by scientific training and experience

Amend section 15 by striking out "9, Laws of 1950" and inserting in place thereof, 98 RSA

On motion of Mr. Clement of Rochester the House concurred in the amendment.

Committee Reports, Cont.

Mr. Gibson of Concord for the Committee on Finance, SB 57, establishing an interim committee to study the question of extending the powers of the Maine-New Hampshire Interstate Bridge Authority, ought to pass with amendment.

Amend section 2 of the bill by inserting after the word "provided" in the fifth and sixth lines the words, however, that the total of said compensation and expenses shall not exceed one thousand dollars, and provided, further, so that said section as amended shall read as follows:

2 Appropriation. The members of said committee shall be paid at the rate of ten dollars per day when occupied in the work of said committee and the expenses of said committee, including, but not being limited to, secretarial help, keeping of minutes of all meetings, hiring of consultants, writing of reports, printing of final report, and any other regular and necessary expenses shall be paid, provided, however, that the total of said compensation and expenses shall not exceed one thousand dollars, and provided, further that the commissioner and deputy commissioner of public works and highways shall not receive the above provided per diem: all of which shall be paid for out of funds of the department of public works and highways.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. DeLude of Unity for the Committee on Ways and Means, HB 475, providing for the taxation of banks, ought to pass with amendment.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Repeal of Laws. RSA 84:8 to 16 inclusive (supp), as amended by 1957, 322:5, relative to taxation of savings banks,

trust companies, building and loan associations, etc. and RSA 198:17, relating to the literary fund, are hereby repealed.

The Clerk read the amendment in full.

Mr. Chandler of Bartlett explained the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Bevan of Durham spoke in favor of the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Terrill of Keene, Mrs. Palmer of Plaistow and Mrs. Roulston of Salem wished to be recorded as voting against HB 475.

Mrs. DeLude of Unity for the Committee on Ways and Means, HB 456, relating to the taxation of banks. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Deans of Milford for the Committee on Municipal and County Government, HB 463, to incorporate the inhabitants of the easterly part of Lisbon into a separate town, with all the privileges and immunities of other towns in this state. Refer to Legislative Council.

Minority, ought to pass.

Desnoyer of Claremont
Hackler of Swanzey
Littlehale of Durham

Mr. Desnoyer of Claremont moved that the minority report, Ought to Pass, be substituted for the majority report, that it be referred to the Legislative Council, and spoke in favor of the motion.

(Mr. MacIsaac of Laconia in the Chair)

Messrs. Johnson of Franconia, Stevenson of Bethlehem, Burrill of Littleton, Pickett of Keene, Angus of Claremont and Bowles of Portsmouth spoke in favor of the motion.

(discussion ensued)

Messrs. Deans of Milford, Pickering of Hancock, Daniell of Franklin, Miss Whipple of Lebanon, Mrs. Frizzell of Charlestown and Miss Collyer of Lisbon spoke against the motion.

(discussion ensued)

Point of Personal Privilege

Mr. Pickett of Keene rose on a point of personal privilege.

The question now being on the motion to substitute the minority report, Ought to Pass, for the majority report, to refer to the Legislative Council.

On a *viva voce* vote the Chair was in doubt and requested a division.

188 members having voted in the affirmative and 110 in the negative the motion to substitute prevailed.

Miss Collyer of Lisbon demanded the Yeas and Nays and the roll was called as follows:

YEAS 206

GRAFTON COUNTY: Paquette, Gilbert, Stevenson, Willey, Chandler of Canaan, Morse, Johnson of Franconia, Gage, Hayward of Hanover, Larty, Karsten, Beard, Coutermarsh, McGee, Burrill, Haskins, Barney, Avery, Bradley, Anderson, Berringer.

COSS COUNTY: Fortier, Perrault, Roy, Vashaw, Bouchard, Fontaine, Gagnon, Ledoux, Oakes, Bragg, Bushey, Potter of Northumberland, Converse, Stinson.

ROCKINGHAM COUNTY: White of Atkinson, Spollett of Chester, Deming, Scott of Deerfield, Scott of Derry, Hackett, Tufts, Wylie, Spollett of Hampstead, Casassa, Clark of Kingston, Jenkins, Hislop, Sewall, Twardus, Pinkham, McDaniel, Driscoll, Bowles, Murch, Cross, Langford, Greene of Rye, Magoon, Peever.

STRAFFORD COUNTY: Blanchette, O'York, Richardson, Bevan, Heald, Littlehale, Drew, Reid, Rolfe, Marsan, Maxfield, Potvin, St. Pierre, Maloomian, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: Rollins, Matheson, Robertson, Lacaille, McCarthy, Harkins, Prescott, Stothart, Dulac, O'Shan, Allan of Meredith, Smith, Howe.

CARROLL COUNTY: Chandler of Bartlett, Taylor of Ossipee, Kurth.

MERRIMACK COUNTY: Guilbeault, Hanson, Allen of Concord, Henry, Audet, Hancock, Lovejoy, Gove, Newell of Concord, Welch, Jennings of Concord, Brown of Danbury, Stevens, Mulaire, Brown of Loudon, London, Thompson of Northfield, Brewster, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Claveau, Warren, Pettigrew, Bruton, Hart, Hayes, Burke, Cullity, Nolan, Linehan, Manning, Szelog, Walsh, Casey, Clancy, Dupont, Ecker, Healy of Manchester, Ward 6; O'Conner, LaFrance, Tessier, Compagna, Cote, Delisle, Healy of Manchester, Ward 8; Cary, Morris, Belanger, Bergeron, Hurley, Noel, Dumas, Lemay, Levasseur, Nalette, Allard, Daniel of Manchester, Rousseau, Gamache, Underhill, Dionne of Nashua, Ward 2; Rosedoff, Kirkorian, Brosnahan, Sullivan, Maynard, Pappagianis, Marcoux, Boisvert, Mason, Bissonnette, Bouley, Lavallee, Sablusi, Locke, Karnis, Peabody, Peterson, Rice, Eastman of Weare, Draper.

CHESHIRE COUNTY: Totman, Watkinson, Stearns, Cournoyer, Desmarais, Haley, Keating, Terrill, Parker, Kretowicz, Pickett, Oliver, Hackler, Congdon, Ballam, Wildey.

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Angus, Nahill, Barrows, D'Amante, Desnoyer, Merrifield, DeLude.

NAYS 125

GRAFTON COUNTY: Plumer, Low, Adams of Lebanon, Demers, Porter, Whipple, Collyer, Hill of Littleton, Martin, Cushman, Kinghorn, Bell.

COOS COUNTY: Marsh, Emerson, Crockett, Graham, Kimball of Jefferson, Shute.

ROCKINGHAM COUNTY: Griffin, Vey, Persson, Kimball of Derry, White of Derry, Nickerson of East Kingston, Collishaw, Eastman of Exeter, Purington, Cheney, Carter, Palmer, Keefe, Stafford, Dame, Osborn, White of Portsmouth, Ward 4; In-

graham, White of Portsmouth, Ward 5; Carkin, Roulston, Felch, Barker.

STRAFFORD COUNTY: Berry, Leighton, Fellows, Colbath, Flanagan, Clark of Lee, Adams of Madbury, Watson of Rochester, Johnson of Rochester, Varney.

BELKNAP COUNTY: McAllister, Watson of Belmont, Normandin, Ayre, Jones, Joslyn.

CARROLL COUNTY: Davis of Conway, Thompson of Effingham, Blake, Brown of Sandwich, Nickerson of Tamworth, Fox, Chamberlain, Claflin.

MERRIMACK COUNTY: Phelps, Keneval, Moore, Hutchinson, York, Davis of Concord, Bingham, Peaslee, Sanders, McKay, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Broek, Thibeault.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin of Bedford, Aucella, Farwell, Pickering, Eaton, Brocklebank, Gallagher, Provencal, Ainley, Lang, Mahony, Pillsbury, Martel, Craig, Lesmerises, Deans, Falconer, Cole, Cooper, Milliken, Dionne of Nasha, Ward 6; Chartrain, Grandmaison, Bouthillier.

CHESHIRE COUNTY: O'Neil, Gowing, Turner, Clark of Harrisville, Bennett, Faulkner, Allen of Rindge, Crain, Galloway, Frost, Sawyer.

SULLIVAN COUNTY: Bascomb, Frizzell, Campbell, Weber, Williamson, Downing, Spalding.

and the motion to substitute the words, ought to Pass, prevailed.

(Speaker in the Chair)

The question now being, shall the bill be read a third time.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Hancock of Concord moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

On a *viva voce* vote the motion was adopted.

Mr. Williamson of Goshen for the Committee on Insurance, SB 33, relating to fraternal benefit societies. Ought to pass with amendment.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Amount of Benefits. Amend RSA 418:5 by inserting after the word "accident" in the eighth line the words, and may provide for the payment of individual policies of hospital, medical or nursing benefits due to sickness or bodily infirmity or accident, subject to all of the provisions of chapter 415 of the insurance laws of this state which in the judgment of the commissioner of insurance should be applicable to certificates providing for such benefits, and by inserting after the word "made" in the eleventh line the words, provided, however, that any such society having a solvency of at least one hundred and five per cent, as determined by a competent actuary approved by the insurance commissioner, may provide for the payment of benefits in a sum not exceeding ten thousand dollars, so that said section as amended shall read as follows:

418:5 Benefits. Any such society authorized to do business in this state shall provide for the payment of death benefits, in a sum not exceeding ten thousand dollars to any person, including double indemnity in case of accidental death, and may issue to its members term, life, and endowment certificates and combinations thereof, including double indemnity in case of accidental death, and may provide for the payment of benefits in case of temporary or permanent disability as the result of disease or accident and may provide for the payment of individual policies of hospital, medical or nursing benefits due to sickness or bodily infirmity or accident, subject to all of the provisions of chapter 415 of the insurance laws of this state which in the judgment of the commissioner of insurance should be applicable to certificates providing for such benefits; and may grant loans, withdrawal equities, and such non-forfeiture options as its laws may permit, provided such grants shall in no case exceed in value the portion of the reserve to the credit of the certificate on which the same are made; provided, however, that any such society having a solvency of at least one hundred and five per cent, as determined by a competent actuary approved by the insurance commissioner, may provide for the payment of benefits in a sum exceeding ten thousand dollars. Any such society may provide for monuments or tomb-

stones to the memory of deceased members and may also provide for payment of funeral benefits in a sum not exceeding three hundred dollars to any person equitably entitled thereto by reason of having incurred expenses by the burial of the member.

The Clerk read the amendment in full.

Mr. Hancock of Concord explained the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Williamson of Goshen offered the following amendment and moved its adoption.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Amount of Benefits. Amend RSA 418:5 by inserting after the word "dollars" in the third line the words, including reinsurance and by inserting after the word "made" in the eleventh line the words, provided, however, that any such society having a solvency of at least one hundred and five per cent, as determined by a competent actuary approved by the insurance commissioner, may provide for the payment of benefits in a sum not exceeding twenty thousand dollars, including reinsurance to any person and, so that said section as amended shall read as follows: 418:5 Benefits. Any such society authorized to do business in this state shall provide for the payment of death benefits, in a sum not exceeding ten thousand dollars including reinsurance to any person, including double indemnity in case of accidental death, and may issue to its members term, life, and endowment certificates and combinations thereof, including double indemnity in case of accidental death, and may provide for the payment of benefits in case of temporary or permanent disability as the result of disease or accident; and may grant loans, withdrawal equities, and such nonforfeiture options as its laws may permit, provided such grants shall in no case exceed in value the portion of the reserve to the credit of the certificate on which the same are made; provided, however, that any such society having a solvency of at least one hundred and five per cent, as determined by a competent actuary approved by the insurance commissioner, may provide for the payment of benefits in a sum not exceeding twenty thousand dollars including reinsurance to any person. Any such society may provide for monuments or tomb-

stones to the memory of deceased members and may also provide for payment of funeral benefits in a sum not exceeding three hundred dollars to any person equitably entitled thereto by reason of having incurred expense by the burial of the member.

Mr. Williamson of Goshen moved that reading of the amendment be dispensed with and Mr. Williamson explained the amendment.

(Mr. Chandler of Bartlett in the Chair)

(discussion ensued)

On a *viva voce* vote the motion was lost.

The Clerk read the amendment in full.

The question now being on the amendment as offered by Mr. Williamson of Goshen.

Mr. Taylor of Ossipee spoke in favor of the amendment.

Messrs. Normandin of Laconia, Claveau of Hudson and Hancock of Concord spoke against the amendment.

Messrs. MacIsaac of Laconia and Williamson of Goshen spoke in favor of the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was not adopted.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Frizzell of Charlestown moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

On a *viva voce* vote the motion was adopted.

Mrs. Cooper of Nashua for the Committee on Judiciary, SB 145, relative to teaching persons to drive. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Frizzell of Charlestown moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

On a *viva voce* vote the motion was adopted.

Mrs. Cooper of Nashua for the Committee on Judiciary, SB 140, relative to trespassing on uncultivated land. Ought to pass.

Mr. Normandin of Laconia offered the following amendment and moved its adoption.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Trespass. Amend RSA chapter 572 (supp) by inserting after section 15 thereof the following new section: 572:15-a Penalty, Uncultivated Land. No owner of uncultivated land shall post more than fifty acres of said land and whoever without right enters upon such uncultivated land posted as provided in section 16 shall be guilty of a misdemeanor, and if convicted shall be fined not more than fifty dollars and be subject to a loss of fish and game license for not less than one nor more than two years.

The Clerk read the amendment in full.

Mr. Normandin of Laconia spoke in favor of the amendment.

(discussion ensued)

Mr. Spalding of Plainfield moved that the SB 140 with pending amendment be laid on the table for printing of the amendment.

On a *viva voce* vote the amendment was adopted.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place SB 33 on third reading and final passage at the present time.

Third Reading

SB 33, relating to fraternal benefit societies, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

Reconsideration

Mr. Hancock of Concord, having voted with the majority, moved that the House reconsider its vote whereby it passed SB 33 and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place SB 57, establishing an interim committee to study the question of extending the powers of the Maine-New Hampshire Interstate Bridge Authority, on third reading and final passage at the present time.

Third Reading

SB 57, establishing an interim committee to study the question of extending the powers of the Maine-New Hampshire Interstate Bridge Authority, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place SB 88, on third reading and final passage at the present time.

Third Reading

SB 88, to grant tax exemption to national veterans associations, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place HB 463 on third reading and final passage at the present time.

Third Reading

HB 463, to incorporate the inhabitants of the easterly part of Lisbon into a separate town, with all the privileges and immunities of other towns in this state, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Angus of Claremont, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 463, and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to permit third reading and final passage of HB 475.

Third Reading

HB 475, providing for the taxation of banks, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place SB 145 on third reading and final passage at the present time.

Third Reading

SB 145, relative to teaching persons to drive, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place HB 272 on third reading and final passage at the present time.

Third Reading

HB 272, relative to the consumption of liquor and beverages, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place SB 147 on third reading and final passage at the present time.

Third Reading

SB 147, pertaining to Dillant-Hopkins Airport, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place SB 148 on third reading and final passage at the present time.

Third Reading

SB 148, establishing the penalty for collusive bidding on contracts for public works or purchase, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place HB 165 on third reading and final passage at the present time.

Third Reading

HB 165, relative to expenditure of state appropriations, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to place HB 209 on third reading and final passage at the present time.

Third Reading

HB 209, to clarify and make more uniform the laws relating to banking and to make certain technical amendments thereto, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mrs. DeLude of Unity, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 475, providing for the taxation of banks, and spoke against the motion.

(Speaker in the Chair)

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Taft of Greenville the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mr. Taft of Greenville for the Committee on Appropriations, HB 225, relative to state guarantee of mortgages on industrial buildings. Ought to pass.

Mr. Taft of Greenville explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Taft of Greenville HB 225 was placed on third reading and final passage at the present time.

Third Reading

HB 225, relative to state guarantee of mortgages on industrial buildings, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Taft of Greenville the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mr. Taft of Greenville for the Committee on Appropriations, HB 483, making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire. Ought to pass with amendment.

Amend paragraph 1 of section 1 of the bill by striking out the words "two million six hundred fifty thousand three hundred seventy one dollars" and inserting in place thereof the words, two million nine hundred forty-five thousand nine hundred twenty-seven dollars, so that said paragraph as amended shall read as follows:

1 Appropriation. The sum of two million nine hundred forty-five thousand nine hundred twenty-seven dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same. The estimated costs for the projects are as follows:

Further amend section 1 of the bill by adding at the end of paragraph XIII the following words and figures:

Souhegan River Watershed Project	21,056.00*
Total	46,556.00

*This amount to be expended by the New Hampshire Water Resources Board for the acquisition of land, flowage rights, easements, options and other interests in land, so that said paragraph as amended shall read as follows:

XIII. Water resources:

Trickling falls dam	25,500.00
Souhegan River Watershed Project	21,056.00*
Total	46,556.00

*This amount to be expended by the New Hampshire Water Resources Board for the acquisition of land, flowage rights, easements, options and other interests in land.

Further amend section 1 of the bill in paragraph XII relative to Plymouth teachers college by striking out the words and figures "Library addition 331,500.00" and inserting in place thereof, Construction of new library 600,000.00. Further amend said paragraph by striking out the word and figures "Total 1,319,235.00" so that said word and figures shall read total 1,587,735.00.

Amend the last line of section 1 of the bill by striking out the words and figures "Total \$2,656,371.00" and inserting in place thereof the following: Total \$2,945,927

Amend section 9 of the bill by inserting after the figure "1" the words, except such land as may be acquired under the appropriation for Souhegan River Watershed Project, so that said section as amended shall read as follows:

9. Land Acquisition. Any land acquired under the appropriation made in section 1, except such land as may be acquired under the appropriation for Souhegan River Watershed Project, shall be purchased by the commissioner of public works and highways, with the approval of the governor and council.

Amend section 10 of the bill by striking out the words and figures "two million six hundred fifty six thousand three hundred seventy one dollars (\$2,656,371) and inserting in place thereof the words and figures, two million nine hundred forty-five thousand nine hundred twenty-seven dollars (\$2,945,927) so that said section as amended shall read as follows:

10. Borrowing Power. To provide funds for the appropriation made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of two million nine hundred forty-five thousand nine hundred twenty-seven dollars (\$2,945,927); to provide funds for the appropriations made in section 2 hereof not exceeding the sum of three hundred seventy-one thousand eight hundred dollars (\$371,800); to provide funds for the appropriation made in section 3 hereof not exceeding the sum of ten thousand two hundred seventy dollars (\$10,270); to provide funds for the appropriations made in section 4 hereof not exceeding the sum of one million three hundred seventy one thousand forty four dollars, (\$1,371,044); and to provide funds for the appropria-

tions made in section 5 hereof not exceeding the sum of one million six hundred ninety thousand five hundred dollars (\$1,690,500) and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Amend paragraph (1) of section 14 of the bill by striking out the words "two million six hundred fifty six thousand three hundred seventy-one dollars" and inserting in place thereof the words, two million nine hundred forty-five thousand nine hundred twenty-seven dollars, so that said paragraph as amended shall read as follows:

(1) not exceeding the sum of two million nine hundred forty-five thousand nine hundred twenty-seven dollars for borrowing to provide funds for the purposes of section 1;

On motion of Mr. Taft of Greenville the rules of the House were so far suspended as to dispense with the reading of the amendment.

Mr. Taft of Greenville explained the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Taft of Greenville HB 483 was placed on third reading and final passage at the present time.

Third Reading

HB 483, making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mrs. Frizzell of Charlestown the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mrs. Frizzell of Charlestown for the Committee on Judiciary, 465, establishing marriage counseling service. Ought to pass with amendment.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 167-A (supp) as inserted by 1957, 264:1 the following new chapter:

Chapter 167-B

Marriage Counseling Referral Service

167-B:1 Service Established; Court Referrals. Whenever a libel for divorce or petition for legal separation has been filed with the Superior Court the presiding justice or his authorized representative, pending a hearing upon the merits, shall exercise his discretion to determine if the matter before the court shall be referred for marriage counseling to an approved Family Service Agency within the jurisdiction of the court. Any such referrals shall be binding upon the libelant or petitioner and upon any libelee or petitionee who enters an appearance or otherwise submits himself to the court's jurisdiction.

167-B:2 Voluntary Referrals. Whenever any person or persons have indicated to the court, or its authorized representative, a willingness to accept marriage counseling service, the presiding justice or his authorized representative may, under this chapter, refer such person or persons to an approved Family Service Agency within its jurisdiction.

167-B:3 Approved Agencies. An approved Family Service Agency within the meaning of this chapter shall be those agencies approved by the Commissioner of Public Welfare and which are located within the jurisdiction of the county superior court making the referral.

167-B:4 Supervision and Administration. The duties of the department of public welfare with respect to this chapter shall be:

(a) To inspect periodically case files of all referrals to any Family Service Agency to determine the value and quality of the service rendered.

(b) To maintain records of all referrals and requests, of action taken and services provided, in sufficient detail so that the effectiveness of the program can be evaluated and recommendations made to the legislature.

(c) To pay, in accordance with the terms of this chapter, all invoices presented by participating Family Service Agencies for referrals, but only after such referrals have been confirmed by the clerk of the court within the jurisdiction of the billing agency.

167-B:5 Reimbursement to Referral Agencies. Participating Family Service Agencies shall be reimbursed as follows:

(a) ten dollars for the first consultation;

(b) five dollars each for the next three consultations actually held;

(c) no reimbursement shall be made after four consultations or after a letter terminating service has been sent to the clerk of the referring county court and to the commissioner of public welfare.

2 Appropriation. The sum of fifteen thousand dollars is hereby appropriated to be expended by the department of public welfare for the purposes of RSA 167-B. The sum hereby appropriated shall be a charge upon the general funds.

3. Takes Effect. This act shall take effect as of January 1, 1962.

On motion of Mr. Normandin of Laconia reading of the amendment was dispensed with.

Mr. Normandin of Laconia explained the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and the Chair referred HB 465 to the committee on Finance under the rules.

On motion of Mr. Normandin of Laconia the rules of the House were so far suspended as to dispense with the reference to committee on HB 465 and that the bill be placed on third reading and final passage at the present time.

Third Reading

HB 465, establishing marriage counseling service, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mrs. Frizzell of Charlestown the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mrs. Frizzell of Charlestown for the Committee on Judiciary, Concurrent Resolution relative to SB 142, to establish a Uniform Motor Vehicle Certificate of Title and Anti-Theft Act. Recommend that the Concurrent Resolution (as printed in the Journal for June 20, pp. 13 and 14) and SB 142, be referred to the Judicial Council for study and report.

At the request of Mr. Deans of Milford, Mrs. Frizzell of Charlestown explained the recommendation of the committee.

On a *viva voce* vote the recommendation of the committee was adopted.

Report of Engrossed Bills Committee

Mrs. Ayre of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolution:

HB 232, relating to the liability of landowners.

HB 291, in relation to discharging firearms.

HB 347, requiring voting of county budgets annually.

HB 418, relative to legislative mileage.

SB 155, legalizing the annual town meeting held in the town of Roxbury in 1961.

SB 69, providing for the disposition of certain abandoned property.

SB 98, relative to mufflers on motor vehicles.

HJR 34, providing for a study into the feasibility of state participation in cost of group insurance for state employees.

SB 49, establishing a department of health and welfare and providing for the merger therein of certain departments and agencies within the state government.

HB 47, amending the benefits payable upon retirement.

HB 210, relative to cooperative school districts.

HB 300, relative to the charter of the Plymouth Guaranty Savings Bank.

HJR 18, relative to the operating expenses of educational television station WENH-TV, Channel 11, Durham, N. H.

SB 43, relative to overpayment of income taxes.

SB 139, increasing the salary of the Belknap County attorney.

HB 412, relative to additional grants of school building aid.

Senate Messages

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 156, relative to state employees' retirement system.

Senate Bill Read and Referred

SB 156, to Executive Departments and Administration.

A further Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 442, relative to the licensing of real estate brokers and salesmen.

Amend RSA 331-A:4 as inserted by section 1 of said bill by striking out the third sentence and inserting in place thereof the following:

Upon completion of the application and the payment of the required fee, the commissioner of insurance shall issue the appropriate license.

On motion of Mr. Peterson of Peterboro the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 189, relating to the salaries of the Rockingham County Commissioners.

Amend section 1 of said bill by striking out the second line and inserting in place thereof the following:
1955, 247:4; 1955, 269:1; 1957, 182:1; 1957, 246:1; 1961, 80:1 and 1961, 157:1 by striking out

Further amend section 1 by striking out after the word "Hillsborough" the words "three thousand seven hundred and fifty" and inserting in place thereof the words, four thousand

Further amend section 1 by striking out after the word "Cheshire" the words "one thousand six hundred" and inserting in place thereof the words, two thousand

On motion of Mr. Shepard of Londonderry the House concurred in the Senate amendment.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 413, making it possible for trustees and custodians to invest in life insurance, endowment and annuity contracts. Ought to pass with amendment.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Gifts to Minors. Amend the first sentence of paragraph I of RSA 463-A:2 (supp) as inserted by 1957, 74:1 by inserting after the word "money" in the second line the words, or a life insurance, endowment or annuity contract, so that said sentence as amended shall read as follows: An adult person may, during his lifetime, make a gift of a security or money or a life insurance, endowment or annuity contract to a person who is a minor on the date of the gift.

Amend section 4 of the bill by striking out the first line and inserting in place thereof the following:

4 Manner of Making Gift. Amend paragraph I of RSA 463-A:2 (supp) as inserted by 1957, 74:1 by adding at the end thereof

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5 Investment. Amend paragraph V of RSA 463-A:4 (supp) as inserted by 1957, 74:1 by adding at the end thereof the following: The custodian may invest the custodial property in life insurance, endowment or annuity contracts on the life or for the benefit of the minor, so that said paragraph as amended shall read as follows:

V. The custodian, notwithstanding statutes restricting investments by fiduciaries, shall invest and reinvest the custodial property as would a prudent man of discretion and intelligence who is seeking a reasonable income and the preservation of his capital, except that he may, in his discretion and without liability to the minor or his estate, retain a security given to the minor in a manner prescribed in this act. The custodian may invest the custodial property in life insurance, endowment or annuity contracts on the life or for the benefit of the minor.

On motion of Mr. Shepard of Londonderry the House concurred in the amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bills:

SB 43, relative to overpayment of income taxes.

SB 135, to repeal charters of certain corporations.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

SB 139, increasing the salary of the Belknap county attorney.

HB 210, relative to cooperative school districts.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the pas-

sage of the following entitled bills sent up from the House of Representatives:

HB 159, to rehabilitate the Sunapee State Park sinking fund.

HB 300, relative to the charter of the Plymouth Guaranty Savings Bank.

HB 47, amending the benefits payable upon retirement.

HB 420, relative to unemployment compensation.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 199, relating to the salaries of mayor and councilmen of the city of Franklin.

HB 46, providing for salaries for classified and unclassified state employees.

Committee of Conference Reports

The Committee of Conference to whom was referred House Bill No. 24, An act to restrict outdoor advertising on the interstate highway system, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrency in the amendments sent down by the Senate of paragraph II of RSA 249-A:2, paragraph IV of RSA-A:3 and RSA 249-A:11, as inserted by section I of the bill, and concur with the senate in the adoption of said amendments;

That the House recede from its position of noncurrence in the amendments sent down by the Senate to paragraph I of RSA 249-A:3, as inserted by section 1 of the bill, and its amendment to section 2 of the bill; That the Senate recede from its position in the adoption of its said amendments, and that the House and Senate concur in the adoption of the following amendments:

Amend paragraph I of RSA 249-A:3 as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

I. Advertising devices in areas adjacent to segments of the interstate system which traverse areas legally zoned on September 21, 1959 as industrial or commercial, or in areas where, on September 21, 1959, outdoor advertising was subject to municipal regulation or control.

Further Amend said bill by striking out section 2 and inserting in place thereof the following:

2 Takes Effect. This act shall take effect thirty days after passage.

Newell of Concord
Stevenson of Bethlehem
Congdon of Troy
Conferees on the Part of the House
Sen. Monahan of Hanover
Sen. Daniels of Manchester
Conferees on the Part of the Senate

On a *viva voce* vote the report was adopted.

The Committee of Conference to whom was referred House Bill No. 393, relative to assessments by insurance firms, having considered the same, reports the same with the following recommendations:

That the House recede from its position of non-concurrence and concur with the Senate in the adoption of the following amendment:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Fees. Amend RSA 405 by inserting after section 37 thereof, the following new section 405:38 Fees. No fee for the license aforesaid shall be required of any agent of an insurance company whose license fees as such agent amount to ten dollars; and in case his license fees as such agent are less than ten dollars, then he shall be required to pay such amount as with such fees shall amount to ten dollars.

2 Takes Effect. This act shall take effect upon its passage.

Ernest R. Coutermarsh
Ralph W. Brewster
G. Stuart Hancock
Conferees on the Part of the House

Lucien E. Bergeron
Philip S. Dunlap
Conferees on the Part of the Senate

On a *viva voce* vote the report was adopted.

(One Hour Recess)

After Recess

The Chairman informed the House that by agreement with the President of the Honorable Senate, the House and Senate were to meet in Joint Convention.

Joint Convention

The Chair introduced His Excellency, Governor Powell, who addressed the Joint Convention concerning the pending budget bills, (HB 373 and 374).

Mr. King of Manchester asked the Chair if the Committee of Conference on HBs 373 and 374 had been discharged.

The Chair replied in the negative.

Messrs. Craig of Manchester, King of Manchester and Senator Cleveland of District No. 7 rose on points of parliamentary inquiry.

On motion of Senator Cleveland the Joint Convention rose.

House

Messrs. Clement of Rochester and King of Manchester addressed the House concerning the activities of the committee of conference on HBs 373 and 374.

(Discussion ensued)

Mr. Bowles of Portsmouth moved that the House members of the committee of conference on HBs 373 and 374 be instructed to maintain their position in accordance with the tentative agreement arrived at by them this afternoon. Mr. Bowles spoke in favor of the motion.

Messrs. Vaughan of Newport, Angus of Claremont, Chandler of Bartlett, Pickett of Keene, King of Manchester and Pillsbury of Manchester spoke in favor of the motion.

Mr. Deming of Danville spoke against the motion.

Mr. Deans of Milford moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion prevailed.

The question being on the motion of Mr. Bowles of Portsmouth.

Mr. Pillsbury of Manchester requested a division.

329 members having voted in the affirmative and 4 members having voted in the negative the motion was adopted.

Mr. Daniel of Manchester asked to be recorded as voting against the motion.

Mr. Pillsbury of Manchester moved that the House recess for 30 minutes.

On a *viva voce* vote the motion prevailed.

After Recess

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 373, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1962, having considered the same report the same with the following recommendations:

First, that the House recede from its position of non-concurrence in the following amendments adopted by the Senate and concur in said amendments:

The amendments to section 1 of the bill relative to the following items: executive branch; administration and control; "Hospital services: state" in the department of health; insurance department; "Office of commissioner" and "Factory inspections division" in department of labor; "Inspectional services" in the motor vehicle department; "Administration" in public welfare; "Commercial code division" in secretary of state; "Custodial care" in Laconia state school; state prison; "Keene teachers college" in board of education; sub-paragraph "Administration" in the paragraph, Plymouth teachers college, in board of education; "Merrimack valley flood control commission" in water

resources board; aeronautics commission; bank commissioner; and "Harness racing" in racing commission.

The amendment to section 8 of the bill relative to Continuing Appropriation.

The amendments inserting section 9, "Rights of Employees whose positions are abolished," section 10, "Employment preferences," and section 11 "Notices Required."

The amendment relative to employment of Benjamin F. Greer.

Second, that the House recede from its position of non-concurrence and the Senate recede from its position of adopting its other amendments and that the House and Senate concur in the adoption of the following amendments:

Amend the bill in the appropriation for legislative branch by striking out in the sixth line the figure "\$7,500.00" and inserting in place thereof the figure, \$8,000.00. Further amend by striking out the words and figures, "Salary of legislative budget assistant \$10,500.00, other personal services \$36,750.00" and inserting in place thereof, Salary of legislative budget assistant \$11,300.00, other personal services \$35,950.00.

Further amend by striking out in the ninth and tenth lines the words and figures "(Salary of research analyst to senate finance committee \$7,000.00," and inserting in place thereof, (Salary of research analyst to senate finance committee \$7,500.00. Further amend by striking out the figure "\$345,000.00" and inserting in place thereof, \$295,000.00. Further amend by striking out the words and figures "Total for legislative branch \$350,000.00" and inserting in place thereof, Total for legislative branch \$300,000.00.

Amend the bill in the appropriation, For attorney general, in the paragraph, Office of attorney general, by striking out said paragraph and the footnote pertaining thereto and inserting in place thereof the following:

Office of attorney general:

Salary of attorney	
general	\$12,280.00
Salary of deputy	
attorney general	10,868.00

Salary of four assistant attorneys general	35,875.20	
Other personal services:		
Permanent	38,959.43	
Other	1,200.00	\$99,182.63
Current expenses		5,700.00
Travel		3,225.00
Equipment		3,189.00
Other expenditures:		
Investigation of subversive activities including personal services	\$8,000.00*	
Commission on uniform laws	1,000.00	
Legal services re department of public works and highways	6,000.00	15,000.00
Total		\$126,296.63
Less estimated revenue		31,265.00
Net appropriation		\$95,031.63

* No part of this appropriation shall be spent without the prior approval of the governor.

Monthly reports of the expenses shall be made by the attorney general to the legislative budget assistant in such form as he may require.

Further amend the appropriation, For attorney general, by striking out at the end thereof the words and figures "Total for attorney general \$106,424.49" and inserting in place thereof, Total for attorney general \$106,156.49.

Amend the bill in the appropriation, For forestry division, in the paragraph, District fire supervision, by striking out the words and figures "Current expenses 16,520.00" and inserting in place thereof, Current expenses 16,520.00†. Further amend said paragraph by inserting after the line "Net appropriation 45,-824.56" the following: † In this appropriation \$1,700.00 may be spent for no purpose other than bond premium and insurance, and \$800.00 may be spent for no purpose other than clothing.

Amend the bill in the appropriation, For department of health, in the paragraph, Communicable disease control: state,

by striking out the line "Other 9,600.00 \$45,223.81" and inserting in place thereof, Other 5,000.00 \$40,623.81, and by changing the figures for "Total" of said paragraph from 83,683.81 to 79,083.81.

Further amend the bill in the appropriation, For department of health, in the paragraph, Maternal and child health and crippled childrens services: state, by striking out the line "Current expenses 41,000.00" and inserting in place thereof, Current expenses 33,900.00; and by changing the figures for "Total" of said paragraph from 127,492.32 to 120,392.32.

Further amend the bill in the appropriation, For department of health, by changing the figures for "Net appropriation" from \$772,152.94 to \$760,865.04.

Amend the bill in the appropriation, For department of labor, by striking out at the end thereof the words and figures "Total for department of labor \$111,673.72" and inserting in place thereof, Total for department of labor \$114,873.88.

Amend the bill in the appropriation, For motor vehicle department, in the paragraph, Administration, by striking out the words and figures "Current expenses 185,000.00" and inserting in place thereof, Current expenses 180,000.00, and by striking out the words and figures "Total \$441,475.12" and inserting in place thereof, Total \$436,475.12.

Further amend the bill in the appropriation, For motor vehicle department, by striking out at the end thereof the words and figures "Total for motor vehicle department \$700,683.10" and inserting in place thereof, Total for motor vehicle department \$695,183.10; and by striking out the words and figures "Less revenue 700,683.10" and inserting in place thereof, Less revenue 695,183.10.

Amend the bill in the appropriation For public welfare, in the paragraph Field services, by striking out said paragraph and inserting in place thereof the following:

Field services:

Personal services:

Permanent*	\$419,190.64**	
Other	9,585.00	\$428,775.64
Current expenses		45,896.00
Travel		20,650.00

Equipment	6,270.00	
Total		\$501,591.64

* In this appropriation \$8,100.04 shall be for the salary of an attorney I notwithstanding any increased rate authorized by RSA 98 or RSA 99, or the relation of this position to other positions in the department.

** In the event the state does not accept the provisions of an act relative to medical aid for the aged at the 1961 session of the legislature the following positions in the department shall be abolished, namely, one caseworker in each of the following district offices, Concord, Woodsville, Nashua and Portsmouth, and one clerical position in the Manchester district office. If such positions are abolished the \$17,234.86 included in this figure for the salaries of said positions shall be eliminated.

Further amend the bill in the appropriation For public welfare, by striking out at the end thereof the words and figures "Total for public welfare \$3,029,709.86" and inserting in place thereof, Total for public welfare \$3,046,944.72; by striking out the words and figures, "Less transfer re administration from federal grants 298,896.00" and inserting in place thereof, Less transfer re administration from federal grants 307,224.00; and by striking out the words and figures, "net appropriation \$2,129,323.11" and inserting in place thereof, net appropriation \$2,138,229.97.

Amend the bill in the appropriation For secretary of state by striking out at the end thereof, the words and figures, "Total for secretary of state \$103,592.62" and inserting in place thereof, Total for secretary of state \$98,972.62.

Amend the bill in the appropriation For state library, in the paragraph, Administration, by striking out the word and figures "Permanent 113,596.85" and inserting in place thereof, Permanent 116,121.97. Further amend by striking out the word and figures "Other 8,626.04" and inserting in place thereof, Other 6,100.92. Further amend by striking out the words and figures "Current expenses 12,485.00" and inserting in place thereof, Current expenses 10,485.00. Further amend by striking out the word and figures "Total \$176,172.01" and inserting in place thereof, Total 174,172.01.

Further amend the appropriation For state library by striking out at the end thereof the words and figures "Total for state library \$202,664.01" and inserting in place thereof, Total for state library \$200,664.01.

Amend the bill in the appropriation For Laconia state school by striking out at the end thereof, the words and figures, "Total for Laconia state school \$1,524,872.35" and inserting in place thereof, Total for Laconia state school \$1,534,872.35. Further amend by striking out the words and figures, "Net appropriation \$1,509,872.35" and inserting in place thereof, Net appropriation \$1,519,872.35.

Amend the bill in the appropriation For prison industries by striking out said appropriation and inserting in place thereof the following:

For prison industries:

Personal services	
Permanent	71,632.48
Other	9,848.00 \$81,480.48
Current expenses	142,520.00
Travel	255.00
Equipment	2,750.00
Total	227,005.48
Less estimated revenue and credits*	227,005.48
Net appropriation	0.00

* Any revenue in excess of \$235,000.00 shall be available for such further expenditure for said purposes as the governor and council shall approve.

Amend the bill in the appropriation For state hospital, in the paragraph, Administration:, by striking out said paragraph and inserting in place thereof the following:

Administration:

Salary of	
superintendent	\$14,896.00
Salary of assistant	
superintendent	11,610.00
Other personal services:	
Permanent	105,499.20*
Other	5,400.00 \$137,405.20
Current expenses	46,000.00

Travel	1,400.00	
Equipment	1,500.00	
Total		\$186,305.20

* In this appropriation \$7,350.20 shall be for the salary of one business administrator II and \$5,195.16 shall be for the salaries of two clerk typists I.

Further amend the appropriation For state hospital by striking out at the end thereof the words and figures, "Total for state hospital \$4,694,581.32" and inserting in place thereof, Total for state hospital \$4,693,055.10. Further amend by striking out the words and figures, "Net appropriation \$4,626,581.32" and inserting in place thereof, Net appropriation \$4,625,055.10.

Amend the bill in the appropriation, For board of education, in the paragraph, Administration, by striking out the words and figures "Permanent 117,637.60" and inserting in place thereof, Permanent 123,808.26. Further amend said paragraph by striking out the figure \$143,692.94" denoting the total of personal services, and inserting in place thereof the figure, \$149,863.60. Further amend said paragraph by striking out the word and figure "Travel 10,900.00" and inserting in place thereof, Travel 10,000.00. Further amend said paragraph by striking out the words and figure "Conferences, workshops, committee meetings 500.00." Further amend said paragraph by striking out the word and figure "Total \$174,752.94" and inserting in place thereof, Total \$179,523.60.

Further amend the bill in the appropriation For board of education in the paragraph, school building construction, by striking out the words and figures "Aid to school districts for school building construction * 999,924.12" and inserting in place thereof Aid to school districts for school building construction * 949,924.12.

Further amend the bill in the appropriation, For board of education, in the paragraph, National defense education act—title X: state, by striking out the words and figure "Current expenses 3,628.00" and inserting in place thereof, Current expenses 1,100.00; by striking out the word and figure "Travel 1,600.00" and inserting in place thereof, Travel 400.00; and by striking out the word and figure "Total \$10,796.17" and inserting in place thereof, Total \$7,068.17.

Further amend the appropriation For board of education, by striking out at the end thereof the words and figure "Total

for board of education \$4,735,349.05" and inserting in place thereof, Total for board of education \$4,686,391.71.

Further amend by striking out the words and figure "Net appropriation \$4,074,080.85" and inserting in place thereof, Net appropriation \$4,025,123.51.

Amend the bill in the appropriation For board of probation, by striking out said appropriation and inserting in place thereof the following:

For board of probation:

Salary of director	\$9,020.18	
Other personal services:		
Permanent*	170,875.43	
Other**	2,000.20	\$181,895.81
Current expenses		14,000.00
Travel		16,600.00
Equipment		1,422.00
Total for probation		\$213,917.81
Less refund		5,606.64
Net appropriation		\$208,311.17

* Notwithstanding the provisions of any other statute to the contrary, the position of assistant director shall not be filled during the fiscal year ending June 30, 1962.

** In this appropriation \$1,800.00 shall be for the salary of a woman probation officer. This position is to receive a salary in labor grade 16 (law enforcement). Funds necessary to grant this increase shall be drawn from the same source as all other increases so voted.

Amend the bill in the appropriation For water resources board, by striking out "Total for water resources board \$113,413.32" and inserting in place thereof, Total for water resources board \$111,413.32. Further amend said appropriation by striking out the words and figures, "Net appropriation \$89,745.85" and inserting in place thereof, Net appropriation \$87,745.85.

Amend the bill in the appropriation For planning and development commission by striking out the words and figures "Current expenses 174,350.00" and inserting in place thereof, Current expenses 168,350.00. Further amend said appropriation by striking out the words and figures "Regional associations"

21,000.00" and inserting in place thereof, Regional associations* 27,000.00.

Further amend the bill in the appropriation For planning and development commission in the footnote to "Regional associations*" by striking out the figures "\$3,500.00" in said footnote and inserting in place thereof the figures, \$4,500.00.

Further amend said appropriation For planning and development commission by striking out the paragraph, Port authority and inserting in place thereof the following:

Port authority:

Personal services:

Permanent*	\$9,657.18	
Other—Harbor Masters	3,500.00	\$13,157.18

Other expenditures:

Expenses of the Authority	5,342.82	
Total		\$18,500.00

* Included in this amount is \$6,910.02 for one Senior industrial agent, and \$2,747.16 for one clerk stenographer II.

Further amend said appropriation For planning and development commission by striking out at the end thereof the words and figures "Total for planning and development commission \$517,614.05" and inserting in place thereof, Total for planning and development commission \$521,366.89.

Amend the bill in the appropriation For water pollution commission in the paragraph, State funds, by striking out the words and figures "Permanent \$60,804.32" and inserting in place thereof, Permanent \$67,794.42. Further amend said paragraph by striking out the figure \$64,741.82 denoting the total for personal services and inserting in place thereof, \$71,731.92. Further amend said paragraph by striking out at the end thereof, the words and figures, "Total \$82,441.82" and inserting in place thereof, Total \$89,431.92.

Further amend said appropriation For water pollution commission by striking out the words and figures "State aid to municipalities 143,000.00" and inserting in place thereof, State aid to municipalities 143,000.00.* *

Further amend said appropriation For water pollution commission, by striking out at the end thereof, the words and fig-

ures, "Total for water pollution commission \$228,891.82" and inserting in place thereof, Total for water pollution commission \$235,881.92.

Further amend said appropriation For water pollution commission by inserting at the end thereof the following footnote:

** No part of this appropriation shall be expended directly or indirectly for any anti-pollution or sewage disposal project that will adversely affect or infringe upon any federal, state, municipal or private property now designated or used for a public park or public recreation area or a state fish and game preserve or an accepted historical site as designated by the State Historical Commission, except in special circumstances of necessity.

Amend the bill in the appropriation For public works and highways in the paragraph Contingent fund by adding after the word "necessary" the following sentence, Of this total appropriation of \$1,250,000.00, \$750,000.00 shall be used only for the purpose of implementing the salary increases as passed by the 1961 session of the legislature.

Amend the bill in the appropriation For public works and highways: in the paragraph, For eastern New Hampshire turnpike: by striking out said paragraph and the footnote pertaining thereto, and inserting in place thereof the following:

For eastern New Hampshire turnpike:

Blue star memorial highway

(Seabrook-Portsmouth toll road):

Operating:

Personal services:

Permanent	\$61,712.66	
Other	43,665.60	\$105,378.26
Current expenses		80,722.15
Travel		4,000.00
Equipment		970.00
Total		\$191,070.41

Maintenance:

Personal services:

Permanent	\$47,430.84
Other	4,149.60 \$51,580.44

Current expenses	65,132.80	
Travel	800.00	
Equipment	8,000.00	
Total		125,513.24
Debt service:		
Bonds maturing	\$260,000.00	
Interest on bonds	79,200.00	
Total		339,200.00*
Total for blue star memorial highway		665,783.65
Less estimated revenue**	\$1,241,827.44	
Transfer to Spaulding turnpike to cover authorized expenditures	586,043.79	655,783.65
Net appropriation		0.00

* In the event revenue is insufficient to cover maintenance, operating and debt service, any deficit in debt service shall be covered from the highway fund as provided by RSA 256:8.

** Notwithstanding any other provision of law to the contrary, upon request of the commissioner, any revenue and balance actually in excess of this amount shall be available for such further expenditures as the governor and council shall approve.

Spaulding turnpike:

Operating:

Personal services:

Permanent	\$62,707.92	
Other	16,728.96	\$79,436.88
Current expenses		75,000.85
Travel		4,000.00
Equipment		970.00
Total		\$159,407.73

Maintenance:

Personal services:

Permanent	\$48,658.22	
Other	6,916.00	\$55,574.22
Current expenses		70,000.84
Travel		950.00
Equipment		9,300.00
Total		135,825.06

Debt service:

Bonds maturing	340,000.00
Interest on bonds	312,925.00

Total debt service	652,925.00*
Total for Spaulding turnpike	\$948,157.79
Less estimated revenue**	\$362,114.00
Transfer from blue star memorial highway	586,043.79 948,157.79
Net appropriation	0.00

* In the event revenue is insufficient to cover maintenance, operating and debt service, any deficit in debt service shall be covered from the highway fund as provided by RSA 256:8.

* Notwithstanding any other provision of law to the contrary, upon request of the commissioner, any revenue and balance actually in excess of this amount shall be available for such further expenditures as the governor and council shall approve.

I. Note: Any funds transferred or paid to the state police from eastern and central turnpikes shall be from the appropriations made for said turnpikes.

Amend the bill in the appropriation For public works and highways: in the paragraph For central New Hampshire turnpike: by striking out said paragraph and the footnote pertaining thereto, and inserting in place thereof the following:

For central New Hampshire turnpike:

Operation and maintenance:

Operation:

Personal services:

Permanent \$80,812.52

Other 14,528.64 \$95,341.16

Current expenses 109,000.80

Travel 3,500.00

Equipment 2,070.00

Total \$209,911.96

Maintenance:

Personal services:

Permanent \$96,959.04

Other 8,299.20 \$105,258.24

Current expenses 257,114.72

Travel 6,100.00

Equipment 4,750.00

Total 373,222.96

Debt service:

Bonds maturing	\$390,000.00	
Interest on bonds	396,255.00	
Total		786,225.00*
Total for central New Hampshire turnpike	\$1,369,359.92	
Less estimated revenue**	1,369,359.92	
Net appropriation		0.00

* In the event revenue is insufficient to cover maintenance, operating and debt service, any deficit in debt service shall be covered from the highway fund as provided by RSA 257:7.

** Notwithstanding any other provision of law to the contrary, upon request of the commissioner, any revenue and balance actually in excess of this amount shall be available for such further expenditures as the governor and council shall approve.

I. Note: Any funds transferred or paid to the state police from the eastern and central turnpikes shall be from the appropriations made for said turnpikes.

Amend the bill in the appropriation For public works and highways: in the paragraph For Neil R. Underwood bridge: by striking out said paragraph and the footnote pertaining thereto, and inserting in place thereof the following:

For Neil R. Underwood bridge:

Personal services:		
Permanent	\$17,720.02	
Temporary	22,584.80	\$40,304.82
Current expenses		12,778.05
Travel		1,200.00
Equipment		950.00
Other expenditures:		
Painting, underwater inspection of piers, and inspection and repairs of draw and gates	2,000.00	
Total		\$57,232.87

Debt service:

Bonds maturing	\$45,000.00	
Interest on bonds	5,355.00	
Total		50,355.00

Total for Neil R. Underwood bridge	\$107,587.87
Less estimated revenue*	107,587.87
Net appropriation	0.00

* Notwithstanding any other provision of law to the contrary, upon request of the commissioner, any revenue and balance actually in excess of this amount shall be available for such further expenditures as the governor and council shall approve.

Amend Section 1 of the bill by striking out at the end of the section the words and figures "Total net appropriation for the fiscal year ending June 30, 1962 \$24,915,189.97" and inserting in place thereof, Total net appropriation of the fiscal year ended June 30, 1962 \$24,838,856.47."

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Appropriations Committee and Senate Finance Committee Authority Continued. The committee on Appropriations of the House of Representatives and the Finance Committee of the Honorable Senate at the 1961 session shall continue to function with their full powers and duties until the last Wednesday of December 1962. Said committees and any subcommittees appointed by them shall meet at the call of the respective chairmen thereof at such times and places as they shall designate.

Amend the bill by renumbering the section thereof relative to employment of Benjamin F. Greer as follows, 12.

Amend the bill by inserting after section 12 thereof the following new section:

13. Teachers Colleges. There is hereby appropriated in addition to any sum hereinabove appropriated for the board of education for the purposes of instruction at Keene and Plymouth teachers colleges and the two New Hampshire technical institutes the sum of \$25,000.00.

Included in this appropriation is the amount of \$8,600 for Plymouth Teachers College, \$11,000 for Keene Teachers College, \$3,600 for the Manchester Technical Institute, and \$1,800 for the Portsmouth Technical Institute to provide temporary salary adjustments for classified faculty personnel. Such personnel will receive a temporary increase of \$200 above their classified salary grade commencing September 1, 1961 and ending June 30, 1963. Excluded from this section will be any employee

whose position does not entail full time teaching responsibilities or the supervision of teaching or student personnel.

Further amend said bill by renumbering section 9 to read 14.

Arnold T. Clement

Henry F. Goode

Agenor Belcourt

Howell F. Shepard

John W. King

Conferees on the Part of the House

Cecil Charles Humphreys

Thomas C. Dunnington

Marye Walsh Caron

Conferees on the Part of the Senate

The Clerk read the report in full.

Mr. Clement of Rochester moved that the House adopt the committee of conference report on HB 373.

Mr. Clement of Rochester explained the report.

(discussion ensued)

Mr. Pickett of Keene moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question now being on the motion to adopt the committee of conference report.

On a *viva voce* vote the report was adopted.

Reconsideration

Mr. Pillsbury of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it adopted the committee of conference report and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Committee of Conference Report HB 374

The Committee of Conference, to whom was referred House Bill No. 374, An Act making appropriations for the ex-

penses of certain departments of the state for the year ending June 30, 1963, having considered the same report the same with the following recommendations:

First, that the House recede from its position of non-concurrence in the following amendments adopted by the Senate and concur in said amendments:

The amendments to section 1 of the bill relative to the following items: executive branch; administration and control; "Hospital services: state" and "Commission on alcoholism: state" in the department of health; insurance department; "Factory inspections division" in department of labor; "Inspectional services" in the motor vehicle department; "Administration" in public welfare; "Custodial care" in Laconia state school; state prison; "Keene teachers college" in board of education; subparagraph "Administration" in the paragraph, Plymouth teachers college, in board of education; board of fire control; "Merrimack valley flood control commission" in water resources board; aeronautics commission; and bank commissioner.

The amendment to section 8 of the bill relative to Continuing Appropriation.

The amendments inserting section 9, "Rights of Employees whose positions are abolished," section 10, "Employment preferences," and section 11 "Notices Required."

The amendment relative to employment of Benjamin F. Greer.

Second, that the House recede from its position of non-concurrence and the Senate recede from its position of adopting its other amendments and that the House and Senate concur in the adoption of the following amendments:

Amend the bill in the appropriation for legislative branch by striking out in the sixth line the figure "\$7,500.00" and inserting in place thereof the figure, \$8,000.00. Further amend by striking out the words and figures "Salary of legislative budget assistant \$10,500.00, other personal services \$36,750.00" and inserting in place thereof, Salary of legislative budget assistant \$11,300.00, other personal services \$35,950.00. Further amend by striking out in the ninth line the words and figures "(Salary of research analyst to senate finance committee \$7,000.00," and

inserting in place thereof, (Salary of research analyst to senate finance committee \$7,500.00.

Amend the bill in the appropriation, For attorney general, in the paragraph, Office of attorney general, by striking out said paragraph and the footnote pertaining thereto and inserting in place thereof the following:

Office of attorney general:

Salary of attorney general	\$12,310.03
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Salary of deputy attorney general	10,868.00
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Salary of four assistant attorneys general	36,622.28
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Other personal services:

Permanent	39,580.00
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Other	1,200.00	\$100,580.31
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Current expenses	5,930.00
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Travel	3,225.00
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Equipment	2,500.00
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Other expenditures:

Investigation of subversive activities including personal services	8,000.00*
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Commission on uniform laws	1,000.00
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Legal services re department of public works and highways	6,000.00	15,000.00
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Total		\$127,235.31
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Less estimated revenue		31,515.00
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Net appropriation		95,720.31
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* No part of this appropriation shall be spent without the prior approval of the governor. Monthly reports of the expenses shall be made by the attorney general to the legislative budget assistant in such form as he may require.

Further amend the appropriation, For attorney general, by striking out at the end thereof the words and figures "Total for

attorney general \$106,946.67" and inserting in place thereof, Total for attorney general \$106,428.67.

Amend the bill in the appropriation, For forestry division, in the paragraph, District fire supervision, by striking out the words and figures "Current expenses 16,520.00" and inserting in place thereof, Current expenses 16,520.00†. Further amend said paragraph by inserting after the line "Net appropriation 46,-809.27" the following: † In this appropriation \$1,700.00 may be spent for no purpose other than bond premium and insurance, and \$800.00 may be spent for no purpose other than clothing.

Amend the bill in the appropriation, For Department of health, in the paragraph, Communicable disease control: state, by striking out the line "Other 9,600.00 \$45,309.28" and inserting in place thereof, Other 5,000.00 \$40,709.28, and by changing the figures for "Total" of said paragraph from 82,969.28 to 78,369.28.

Further amend the bill in the appropriation, For department of health, in the paragraph, Maternal and child health and crippled children's services: state, by striking out the line "Current expenses 41,000.00" and inserting in place thereof, Current expenses 33,900.00; and by changing the figures for "Total" of said paragraph from 129,368.55 to 122,268.55.

Further amend the bill in the appropriation, For department of health, by changing the figures for "Net appropriation" from 758,551.89 to 753,347.93.

Amend the bill in the appropriation, For department of labor, by striking out at the end thereof the words and figures "Total for department of labor \$110,873.29" and inserting in place thereof, Total for department of labor \$115,638.93.

Amend the bill in the appropriation, For motor vehicle department, in the paragraph, Administration, by striking out the words and figures "Current expenses 185,000.00" and inserting in place thereof, Current expenses 180,000.00, and by striking out the words and figures "Total 446,056.66" and inserting in place thereof, Total \$441,056.66.

Further amend the bill in the appropriation, For motor vehicle department, by striking out at the end thereof the words and figures "Total for motor vehicle department \$687,543.78" and inserting in place thereof, Total for motor vehicle depart-

ment \$682,043.78, and by striking out the words and figures "Less revenue 687,543.78" and inserting in place thereof, Less revenue 682,043.78.

Amend the bill in the appropriation For public welfare, in the paragraph Field services, by striking out said paragraph and inserting in place thereof the following:

Field Services:

Personal services:

Permanent *	\$425,662.60 * *	
Other	9,585.00	\$435,247.60
Current expenses		45,896.00
Travel		20,650.00
Equipment		4,056.00
Total		\$505,849.60

* In this appropriation \$8,650.20 shall be for the salary of an attorney I notwithstanding any increased rate authorized by RSA 98 or RSA 99, or the relation of this position to other positions in the department.

* * In the event the state does not accept the provisions of an act relative to medical aid for the aged at the 1961 session of the legislature the following positions in the department shall be abolished, namely, one caseworker in each of the following district offices, Concord, Woodsville, Nashua and Portsmouth, and one clerical position in the Manchester district office. If such positions are abolished the \$17,414.98 included in this figure for the salaries of said positions shall be eliminated.

Further amend the bill in the appropriation For public welfare, by striking out at the end thereof the words and figures "Total for public welfare \$3,156,908.20" and inserting in place thereof, Total for public welfare \$3,174,333.18; by striking out the words and figures, "Less transfer re administration from federal grants 298,896.00" and inserting in place thereof, Less transfer re administration from federal grants 307,314.00; and by striking out the words and figures, "Net appropriation \$2,-844,926.00" and inserting in place thereof, Net appropriation \$2,853,932.98.

Amend the bill in the appropriation For state library, in the paragraph, Administration, by striking out the word and figures "Permanent 115,142.75" and inserting in place thereof, Permanent 117,792.93. Further amend by striking out the word and

figures "Other 10,197.61" and inserting in place thereof, Other 7,547.43. Further amend by striking out the words and figures "Current expenses 12,685.00" and inserting in place thereof, Current expenses 10,685.00. Further amend by striking out the word and figures "Total \$178,956.99" and inserting in place thereof, Total \$176,956.99.

Further amend the appropriation For state library by striking out at the end thereof the words and figures "Total for state library \$204,836.99" and inserting in place thereof, Total for state library \$202,836.99.

Amend the bill in the appropriation For Laconia state school by striking out at the end thereof, the words and figures, "Total for Laconia state school \$1,554,405.42" and inserting in place thereof, Total for Laconia state school \$1,564,405.42. Further amend by striking out the words and figures, "Net appropriation \$1,539,405.42" and inserting in place thereof, Net appropriation \$1,549,405.42.

Amend the bill in the appropriation For prison industries by striking out said appropriation and inserting in place thereof the following:

For prison industries:

Personal services:

Permanent	72,182.62	
Other	9,848.00	\$82,030.62
Current expenses		142,520.00
Travel		255.00
Total		224,805.62
Less estimated revenue and credits*		224,805.62
Net appropriation		0.00

* Any revenue in excess of \$245,000.00 shall be available for such further expenditure for said purposes as the governor and council shall approve.

Amend the bill in the appropriation For state hospital, in the paragraph, Administration:, by striking out said paragraph and inserting in place thereof the following:

Administration:

Salary of superintendent	\$14,896.00
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Salary of assistant superintendent	11,927.20	
Other personal services:		
Permanent	106,974.70*	
Other	5,400.00	\$139,197.90
Current expenses		46,000.00
Travel		1,400.00
Equipment		1,500.00
Total		\$188,097.90

* In this appropriation \$7,373.30 shall be for the salary of one business administrator II and \$5,289.91 shall be for the salaries of two clerk typists I.

Further amend the appropriation For state hospital by striking out at the end thereof the words and figures, "Total for state hospital \$4,723,443.32" and inserting in place thereof, Total for state hospital \$4,721,686.58. Further amend by striking out the words and figures, "Net appropriation \$4,655,443.32" and inserting in place thereof, Net appropriation \$4,653,686.58.

Amend the bill in the appropriation, For board of education, in the paragraph, Administration, by striking out the words and figures "Permanent 119,016.94" and inserting in place thereof, Permanent 125,271.64. Further amend said paragraph by striking out the figure "\$145,369.28" denoting the total of personal services, and inserting in place thereof the figure, \$151,623.98. Further amend said paragraph by striking out the word and figure "Travel 10,900.00" and inserting in place thereof, Travel 10,000.00. Further amend said paragraph by striking out the words and figure "Conferences, workshops, committee meetings 500.00." Further amend said paragraph by striking out the word and figure "Total \$176,369.28" and inserting in place thereof, Total \$181,223.98.

Further amend the bill in the appropriation For board of education in the paragraph, school building construction, by striking out the words and figures "Aid to school districts for school building construction * 1,113,039.85" and inserting in place thereof, Aid to school districts for school building construction * 1,063,039.85.

Further amend the bill in the appropriation, For board of education, in the paragraph, National defense education act —

title X: state, by striking out the words and figure "Current expenses 3,383.00" and inserting in place thereof, Current expenses 855.00; by striking out the word and figure "Travel 1,-350.00" and inserting in place thereof, Travel 150.00; and by striking out the word and figure "Total \$10,051.17" and inserting in place thereof, Total \$6,323.17.

Further amend the appropriation For board of education, by striking out at the end thereof the words and figure "total for board of education \$5,054,046.75" and inserting in place thereof, Total for board of education \$5,005,173.45. Further amend by striking out the words and figure "Net appropriation \$4,389,-453.55" and inserting in place thereof, Net Appropriation \$4,340,580.25.

Amend the bill in the appropriation For board of probation, by striking out said appropriation and inserting in place thereof the following:

For board of probation:

Salary of director	\$ 9,054.83
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Other personal services:

Permanent *	173,496.05
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Other **	2,000.20	\$184,551.08
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Current expenses	14,500.00
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Travel	16,600.00
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Equipment	500.00
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Total for probation	\$216,151.08
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Less refund	5,606.64
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Net appropriation	\$210,544.44
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* Notwithstanding the provisions of any other statute to the contrary, the position of assistant director shall not be filled during the fiscal year ending June 30, 1963.

** In this appropriation \$1,800.00 shall be for the salary of a woman probation officer. This position is to receive a salary in labor grade 16 (law enforcement). Funds necessary to grant this increase shall be drawn from the same source as all other increases so voted.

Amend the bill in the appropriation For water resources board, by striking out "Total for water resources board \$119,-984.54" and inserting in place thereof, Total for water resources board \$117,984.54. Further amend said appropriation by strik-

ing out the words and figures, "Net appropriation \$96,305.52" and inserting in place thereof, Net appropriation \$94,305.52.

Amend the bill in the appropriation For planning and development commission by striking out the words and figures "Current expenses 173,850.00" and inserting in place thereof, Current expenses 167,850.00. Further amend said appropriation by striking out the words and figures "Regional associations* 21,000.00" and inserting in place thereof, Regional associations* 27,000.00.

Further amend the bill in the appropriation For planning and development commission in the footnote to "Regional associations*" by striking out the figures "\$3,500.00" in said footnote and inserting in place thereof the figures, \$4,500.00.

Further amend said appropriation For planning and development commission by striking out the paragraph, Port authority and inserting in place thereof the following:

Port authority:

Personal services:

Permanent* \$10,160.28

Other—Harbor Masters 3,500.00 \$13,660.28

Other expenditures 4,839.72

Total \$18,500.00

* Included in this amount is \$7,290.14 for one Senior industrial agent, and \$2,870.14 for one clerk stenographer II.

Further amend said appropriation For planning and development commission by striking out at the end thereof the words and figures "Total for planning and development commission \$520,698.73" and inserting in place thereof, Total for planning and development commission \$524,328.59.

Amend the bill in the appropriation For water pollution commission in the paragraph, State funds, by striking out the words and figures "Permanent \$6,387.39" and inserting in place thereof, Permanent \$68,757.49. Further amend said paragraph by striking out the figure "65,324.89" denoting the total for personal services and inserting in place thereof, \$72,694.99. Further amend said paragraph by striking out at the end thereof, the words and figures, "Total \$88,024.89" and inserting in place thereof, Total \$95,394.99.

Further amend said appropriation For water pollution commission by striking out the words and figures "State aid to municipalities 169,000.00" and inserting in place thereof, State aid to municipalities 169,000.00* *

Further amend said appropriation For water pollution commission, by striking out at the end thereof the words and figures, "Total for water pollution \$260,474.89" and inserting in place thereof, Total for water pollution commission \$267,844.99.

Further amend said appropriation For water pollution commission by inserting at the end thereof the following footnote:

* * No part of this appropriation shall be expended directly or indirectly for any anti-pollution or sewage disposal project that will adversely affect or infringe upon any federal, state, municipal or private property now designated or used for a public park or public recreation area or a state fish and game preserve or an accepted historical site as designated by the State Historical Commission, except in special circumstances of necessity with the approval of governor and council.

Amend the bill in the appropriation For public works and highways in the paragraph Contingent fund by adding after the word "necessary" the following sentence, Of this total appropriation of \$1,250,000.00, \$750,000.00 shall be used only for the purpose of implementing the salary increases as passed by the 1961 session of the legislature.

Amend the bill in the appropriation For public works and highways: in the paragraph, For eastern New Hampshire turnpike: by striking out said paragraph and the footnotes pertaining thereto, and inserting in place thereof the following:

For eastern New Hampshire turnpike:

Blue star memorial highway (Seabrook-
Portsmouth toll road):

Operating:

Personal services:

Permanent \$62,048.83

Other 43,665.60 \$105,714.43

Current expenses 80,387.20

Travel 4,000.00

Equipment	970.00	
Total		\$191,071.63

Maintenance:

Personal services:

Permanent	\$48,336.14	
Other	4,149.60	\$52,485.74
Current expenses		65,112.86
Travel		800.00
Equipment		8,250.00
Total		126,648.60

Debt service:

Bonds maturing	\$270,000.00	
Interest on bonds	75,040.00	
Total		345,040.00*
Total for blue star memorial highway		\$662,760.23
Less estimated revenue**	\$1,211,005.22	
Transfer to Spaulding turnpike to cover authorized expenditures	548,244.99	662,760.23
Net appropriation		0.00

* In the event revenue is insufficient to cover maintenance, operating and debt service, any deficit in debt service shall be covered from the highway fund as provided by RSA 256:8.

** Notwithstanding any other provisions of law to the contrary, upon request of the commissioner, any revenue and balance actually in excess of this amount shall be available for such further expenditures as the governor and council shall approve:

Spaulding turnpike:

Operating:

Personal services:

Permanent	\$63,257.96	
Other	16,728.96	\$79,986.92
Current expenses		75,611.28
Travel		4,000.00
Equipment		970.00
Total		160,568.20

Maintenance:

Personal services:

Permanent	\$49,176.95	
Other	6,916.00	\$56,092.95

Current expenses	70,000.84	
Travel	950.00	
Equipment	6,250.00	
Total		133,293.79
Debt service:		
Bonds maturing	\$340,000.00	
Interest on bonds	305,450.00	
Total debt service		645,450.00*
Total for Spaulding turnpike		\$939,311.00
Less estimated revenue**	\$391,067.00	
Transfer from blue star		
memorial highway	548,244.99	939,311.99
Net appropriation		0.00

* In the event revenue is insufficient to cover maintenance, operating and debt service, any deficit in debt service shall be covered from the highway fund as provided by RSA 256:8.

** Notwithstanding any other provision of law to the contrary, upon request of the commissioner, any revenue and balance actually in excess of this amount shall be available for such further expenditures as the governor and council shall approve.

I. Note: Any funds transferred or paid to the state police from eastern and central turnpikes shall be from the appropriations made for said turnpikes.

Amend the bill in the appropriation For public works and highways: in the paragraph For central New Hampshire turnpike: by striking out said paragraph and the footnotes pertaining thereto, and inserting in place thereof the following:

For central New Hampshire turnpike:

Operation:		
Personal services:		
Permanent	\$81,529.06	
Other	14,528.64	\$96,057.70
Current expenses		108,076.57
Travel		3,500.00
Equipment		2,070.00
Total		\$209,704.27

Maintenance:

Personal services:	
Permanent	\$97,954.14

Other	8,299.20	\$106,253.34	
Current expenses		263,015.55	
Travel		6,100.00	
Equipment		16,500.00	
Total			391,868.89
Debt service:			
Bonds maturing		\$490,000.00	
Interest on Bonds		388,350.00	
Total			878,350.00*
Total for central New Hampshire turnpike		\$1,479,923.16	
Less estimated revenue**		1,479,923.16	
Net appropriation			0.00

* In the event revenue is insufficient to cover maintenance, operating and debt service, any deficit in debt service shall be covered from the highway fund as provided by RSA 257:7.

** Notwithstanding any other provision of law to the contrary, upon request of the commissioner, any revenue and balance actually in excess of this amount shall be available for such further expenditures as the governor and council shall approve.

I. Note: Any funds transferred or paid to the state police from the eastern and central turnpikes shall be from the appropriations made for said turnpikes.

Amend the bill in the appropriation For public works and highways: in the paragraph For Neil R. Underwood bridge: by striking out said paragraph and the footnote pertaining thereto, and inserting in place thereof the following:

For Neil R. Underwood bridge:

Operation and maintenance:

Personal services:

Permanent \$17,816.83

Temporary 22,584.80 \$40,401.63

Current expenses 12,876.75

Travel 1,200.00

Equipment 950.00

Other expenditures

Painting, underwater inspection

of piers, and inspection and

repairs of draw and gates 2,000.00

Total \$57,428.38

Debt service:		
Bonds maturing	\$45,000.00	
Interest on bonds	4,590.00	
Total		49,590.00
Total for Neil R. Underwood bridge		\$107,018.38
Less estimated revenue*		107,018.38
Net appropriation		0.00

* Notwithstanding any other provision of law to the contrary, upon request of the commissioner, any revenue and balance actually in excess of this amount shall be available for such further expenditures as the governor and council shall approve.

Amend Section 1 of the bill by striking out at the end of the section the words and figures "Total net appropriation for the fiscal year ending June 30, 1963 \$26,166,525.30 and inserting in place thereof, Total net appropriation of the fiscal year ending June 30, 1963 \$26,112,188.15.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Appropriations Committee and Senate Finance Committee Authority Continued. The committee on Appropriations of the House of Representatives and the Finance Committee of the Honorable Senate at the 1961 session shall continue to function with their full powers and duties until the last Wednesday of December 1962. Said committees and any subcommittees appointed by them shall meet at the call of the respective chairmen thereof at such times and places as they shall designate.

Amend the bill by renumbering the section thereof relative to employment of Benjamin F. Greer as follows, 12.

Amend the bill by inserting after section 12 thereof the following new section:

13 Teachers Colleges. There is hereby appropriated in addition to any sum hereinabove appropriated for the board of education for the purposes of instruction at Keene and Plymouth teachers colleges and the two New Hampshire technical institutes the sum of \$25,000.00.

Included in this appropriation is the amount of \$8,600.00 for Plymouth Teachers College, \$11,000.00 for Keene Teachers

College, \$3,600.00 for the Manchester Technical Institute, and \$1,800.00 for the Portsmouth Technical Institute to provide temporary salary adjustments for classified faculty personnel. Such personnel will receive a temporary increase of \$200.00 above their classified salary grade commencing September 1, 1961 and ending June 30, 1963. Excluded from this section will be any employee whose position does not entail full time teaching responsibilities or the supervision of teaching or student personnel.

Further amend said bill by renumbering section 9 to read 14.

Arnold T. Clement
Henry F. Goode
Agenor Belcourt
Howell F. Shepard
John W. King
Conferees on the Part of the House

Cecil Charles Humphreys
Thomas C. Dunnington
Marye Walsh Caron
Conferees on the Part of the Senate

Mr. Pillsbury of Manchester moved that the House adopt the committee of conference report on HB 374.

On a *viva voce* vote the motion was adopted.

Senate Messages

The Senate message announced the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 393, relative to assessments by insurance firms.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bills:

SB 33, relating to fraternal benefit societies.

SB 148, establishing the penalty for collusive bidding on contracts for public works or purchase.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 413, making it possible for trustees and custodians to invest in life insurance, endowment and annuity contracts.

The Chair announced that today is the 53rd wedding anniversary of Mr. LaFrance of Manchester.

The Chair also announced that today is the 43rd birthday of Mr. Larty of Haverhill.

On motion of Mr. Wyatt of Strafford the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Casey of Manchester the House adjourned at 11:25 P.M. to meet next Tuesday morning at 11:00 o'clock.

TUESDAY, JUNE 27, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, Reverend George Pennington:

We rejoice, O Lord, in the freedom that is ours. We are made glad in the sense of community that unites us. Indeed, because of our freedom in common purpose, we are enabled to express variance of conviction in an atmosphere of personal respect and in a commitment to those whom we represent and endeavor to serve. Deepen both our regard for our freedoms and our sense of community, we pray. Sharpen our skills to exercise our convictions with intelligence and persuasion, and increase our ability to bring respect and dignity to the labors of representative government by the dignity and high purpose we apply to our work. Amen.

Pledge of Allegiance to the Flag

Mr. Taylor of Ossipee led the Convention in the Pledge of Allegiance to the Flag.

House

Introduction of Guests

The Chair introduced a group of boy scouts of Troop No. 18 from Keene, courtesy of Miss Faulkner of Keene.

Leaves of Absence

Mr. McCarthy of Laconia was granted a leave of absence for the day on account of important business.

Mr. Ingraham of Portsmouth was granted a leave of absence for the week on account of important business.

Mr. Crowley of Manchester was granted a leave of absence for the week on account of illness.

Mr. Deans of Milford moved that the rules of the House be so far suspended as to permit the introduction of committee reports not previously advertised in the Journal for two days and that they be taken up at the present time.

On a *viva voce* vote the motion was adopted.

Committee Reports

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, SB 91, to amend the teachers retirement system. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Clark of Lee for the Committee on Executive Departments and Administration, HB 391, relative to optional allowances under the teachers' retirement system. Ought to pass.

The Chair referred HB 391 to the committee on Appropriations under the rules.

Mrs. Roulston of Salem for the Committee on Executive Departments and Administration, HB 51, relating to the licensing of auctioneers. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after Chapter 311 the following new chapter:

311-A-1 Definitions as used in this chapter:

(a) Auctioneer means a person who engages in this state in the business of selling for another real, personal or mixed property by auction.

(b) Auctioneering means the business or act of selling for another real, personal or mixed property by auction.

(c) Resident means any person who has resided within the state six months next preceding the day of filing an application.

311-A-2 License Required. Except as herein provided, no person shall in this state engage himself in the business of auctioneer, hold himself out as an auctioneer, engage in auctioneering or advertise that he will sell the real, personal or mixed property of another by auction, unless he holds a valid auctioneer's license from the secretary of state under this chapter. This is in no way intended to prevent a licensed auctioneer from employing qualified or apprentice auctioneers to assist him although they may not be licensed under this chapter.

311-A:3 Nonresidents. A nonresident of this state may be granted such license if he conforms to all the provisions of this chapter. Such nonresident shall also, before obtaining a license, file with the secretary of state in writing his irrevocable consent that suits and actions arising against him in this state out of his acts as an auctioneer may be commenced upon him by service of process (by) (upon) the secretary of state.

311-A-4 Application for License. An application for license shall be in writing and shall be obtained from the secretary of state. It shall contain a showing as to the applicant's ability to judge the value of real, personal and mixed property and such other information as the secretary of state shall require to determine the qualifications of the applicant and compliance with this chapter. If the applicant is an individual, he shall verify the same; if a firm or corporation, it shall be verified by at least two members or officers. The application

shall be accompanied by the required fee and affidavits of at least two disinterested persons who are reputable freeholders, in the area where the applicant resides, certifying that the applicant is trustworthy and competent to auction real personal and mixed property in such a manner as to safeguard the interests of the public. Each such affidavit shall among other things set forth the name, age, address, and occupation of the affiant, the extent of his acquaintanceship with the applicant, his familiarity with past business experience and dealings of the applicant and such other knowledge of the applicant and his background upon which the affidavit is founded. Applications for renewal licenses need not be accompanied by such affidavits.

311-A-5 Local Regulations. This chapter shall not be deemed to nullify or prevent a municipal corporation from collecting an additional fee from auctioneers licensed under this chapter.

311-A-6 Fees; Expiration of License. For residents, the annual fee for a license shall be ten dollars. For nonresidents, the annual fee for a license shall be twenty-five dollars. A license shall expire on May 30th following its issuance.

311-A-7 Denial; Suspension; Revocation. A license may be suspended or revoked, maximum one year, or an application for a renewal license may be denied for unethical conduct which in the judgment of the secretary of state is reprehensible and against public welfare and protection. No license shall be denied, suspended, or revoked until after five days' notice in writing to the licensee or applicant stating the ground of the proposed action and a public hearing at which he shall have opportunity to be heard, present testimony in his behalf and be confronted by witnesses against him. The secretary of state, in his discretion, may grant the accused a temporary permit to auction pending such hearing and determination. Determinations shall be made and the licensee or applicant notified thereof within five days after hearing. Any auctioneer notified of a suspension may request a rehearing within twenty days from the date of notification. After a rehearing and continued denial, suspension or revocation of license, or upon a refusal for rehearing said party shall be entitled to appeal his case to the superior court.

311-A-8 Penalties. Any person violating the provisions of this chapter shall be fined not less than twenty-five dollars nor

more than one thousand dollars, or imprisoned not more than six months or both.

311-A-9 Limitations. This chapter shall not apply to sales conducted or made by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, guardians, conservators, receivers, assignees under voluntary assignments for the benefit of creditors or insurers, or by any other person required by law to sell real, personal or mixed property.

311-A-10 Auctions by Charitable and Nonprofit Organizations Exempt. The provisions of this chapter shall not apply to sales at auctions held at charitable, educational, religious or other nonprofit organizations.

311-A-11 Disposition of Fees, Fines and Penalties. All moneys collected under this chapter shall be paid into the general funds and credited to the secretary of state for the purpose of carrying out the provisions of this chapter.

311-A-12 This act shall take effect as of June 1, 1962.

SB 51 was laid on the table for printing of the amendment.

Mr. Osborn of Portsmouth for the Committee on Executive Departments and Administration, HB 484, authorizing the appointment of a consultant to the commissioner of safety. Ought to pass.

The Chair referred HB 484 to the committee on Finance under the rules.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, HJR 40, providing for a manual on powers and duties of county conventions. Ought to pass with amendment.

Amend the joint resolution by inserting after the word "conventions" in the fourth line the words, county commissioners and elected county officers, so that said joint resolution as amended shall read as follows:

That the sum of two thousand five hundred dollars is hereby appropriated to be expended by the attorney general for the preparation and printing of fifteen hundred copies of a manual on powers, duties and procedures of county conventions, county commissioners and elected county officers. The

attorney general shall cause said manual to be distributed free of charge to all elected county officers and to all members of county conventions. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the Chair referred the bill to the committee on Appropriations under the rules.

Report of Engrossed Bills Committee

Mrs. Ayre of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 58, establishing a division of records, management and archives.

HB 189, relating to the salaries of the Rockingham County Commissioners.

HB 354, relating to the disinfection of public water supply systems.

HB 413, making it possible for trustees and custodians to invest in life insurance, endowment and annuity contracts.

HB 442, relative to the licensing of real estate brokers and salesmen.

SB 134, relating to La Caisse Populaire Ste. Marie, or St. Mary's Bank.

HJR 3, providing funds for state nursing scholarship program.

HJR 44, in favor of the estate of R. Wilbur Potter.

HB 159, to rehabilitate the Sunapee State Park sinking fund.

HB 256, relative to technical institutes and vocational technical schools.

HB 447, relative to use of funds by credit unions.

HB 487, creating the Nashua Airport Authority.

HB 229, for the acquisition of the Adams property in Durham for development of wildlife management area.

HB 295, relative to future water supplies for the city of Manchester.

SB 148, establishing the penalty for collusive bidding on contracts for public works or purchase.

HB 280, relative to a civil defense fire and rescue training center.

HB 363, relative to education for intellectually retarded children.

SB 147, pertaining to Dillant-Hopkins Airport.

HB 46, providing for salaries for classified and unclassified state employees.

SB 135, to repeal charters of certain corporations.

Committee Reports (cont)

Mr. Gibson of Concord for the Committee on Finance, SJR 11, in favor of Mrs. Hattie M. Drake. Ought to pass.

On a *viva voce* vote the Senate Joint Resolution was ordered to a third reading.

Mr. Hanson of Bow for the special Committee consisting of the members from the county of Merrimack, SB 72, providing for the election of county commissioners for the county districts of Merrimack county. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Plumer of Bristol for the Committee on Public Works, SB 77, relative to bonds for public works. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Galloway of Walpole for the Committee on Public Works, SB 24, reclassifying certain highways in Rollinsford. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Davis of Concord for the Special Committee consisting of the members from the city of Concord, HB 353 In New Draft relative to the election of members of the Union School District in Concord. Ought to pass with amendment.

Amend section 6 by inserting after the word "duties" in the tenth line the words, and determine their compensation, so that said section as amended shall read as follows:

6 Governing Body. All the powers of the district shall be vested in a board of education of nine members, hereinafter called the board. The board shall, at its first regular meeting in April, choose one of its members as president for a term of one year. In the event of a vacancy occurring in the office of president, the board shall choose one of its members to serve for the unexpired term. The board shall, at its first meeting in April, choose a person who shall not be a member of the board to serve as clerk of the district, and shall choose some other person, who also shall not be a member of the board, as treasurer of the district and shall define their duties and determine their compensation.

Amend section 2 by striking out the word "second" in the third line and inserting in place thereof the word, fourth, so that said section as amended shall read as follows:

2 Elections. The election officers in each ward whose duty it is to conduct regular biennial elections shall conduct an election at the expense of the district, as hereinafter provided, on the fourth Tuesday in March annually, to elect three members of the board of education for three years each. For the purposes of this election, the voters in the several wards shall cast their ballots in their respective wards for the election of members of the board of education, in such convenient places as may be designated by the supervisors of the checklist and provided by the district. In the first election under this act the six members of the board of education whose terms do not expire in 1962 shall continue in office until the expiration of the terms for which they were elected.

Amend section 13 of the bill by striking out the word "fixed" in the second line and inserting in place thereof the word, determined, so that said section as amended shall read as follows:

13 Finances. The fiscal and budget year of the district shall begin on the first day of July, unless otherwise determined by resolution of the board. The district treasurer, or some other person designated by the board, shall maintain accounting control over the finances of the district, make financial reports, and shall audit and approve all claims against the district before paying the same.

Amend section 14 of the bill by striking out said section and inserting in place thereof the following:

14 Budget Procedure. The board of education shall timely prepare an annual estimate of the district's expenditures for the ensuing fiscal year, itemized in such detail as may be required by the state board of education. A public hearing on this budget shall be held by the board of education at some convenient place in the district not later than one hundred days prior to the beginning of the fiscal year, public announcement of the time and place of which shall be duly advertised not less than ten days prior to such hearing. The budget appropriation shall be made by the board of education not later than sixty days prior to the beginning of the fiscal year for which it shall apply. No additional appropriation shall be made for any purpose not included in the annual budget as adopted, unless voted by seven members of the board after a public hearing held to discuss such additional appropriation.

Amend said bill by striking out section 22 and inserting in place thereof the following:

22 Takes Effect. This act shall take effect on January 1, 1962, provided that prior to said date its adoption shall be voted by a majority of the ballots cast at a special meeting of the voters of Concord Union School District to be called by the board of education and held at the expense of the district in such manner that the voters of the several wards may cast their ballots in their respective wards at such convenient places as may be designated by the supervisors of the checklists and provided by the district during a period of not less than six hours, notice of which and the time of the opening and closing of the polls as fixed and determined by the board of education shall have been posted at the several voting places not less than fourteen days prior to the date of the meeting.

On motion of Mrs. Davis of Concord reading of the amendment was dispensed with.

Minority, ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 District Established. There shall be in the Union School District of Concord a board of education consisting of nine legal voters of said district, chosen as hereinafter provided. The Union School District of Concord, as hereinbefore established by law, is hereby continued, with all the rights, immunities, powers and privileges, and subject to all the duties and liabilities as are established by general law for the government of school districts and municipal corporations. All existing property of the district shall remain vested in it, and all its existing debts and obligations shall remain obligatory upon it. The boundaries of the district as presently constituted shall be preserved.

2 Elections. The election shall be held the same day on which the regular biennial election for city officials is held, on the Tuesday following the first Monday in November in the odd numbered years. There shall be held in wards 1 to 9 inclusive, of the city of Concord, elections to the board of education for the Union School District of Concord. The election shall be conducted by the regular election officials and under the same provisions.

3 Ballot. The city clerk shall provide space on regular Biennial election ballots and in the same manner for the names of candidates for the board of education.

4 Filing of Candidates. Each candidate shall pay to the city clerk, for the use of the city, three dollars upon his filing with the city clerk, not later than five o'clock in the afternoon of the day fifteen days before the day of the election together with a declaration of candidacy for office of board of education.

5 Qualifications of Voters. Persons residing in the district who would be qualified to vote in a biennial election shall be qualified voters therein.

6 Term of Office of Board. The term of office of each member of the board of education for the Union School District shall be for four years and until his successor is elected and qualified, provided, however, that for the first election hereunder five members shall be elected for a term of four years

each, and four members last elected in April, 1961. Their term of office shall hereby continue until two years following the first election under this act.

7 Vacancy. In the event of a vacancy occurring on the board of education by death, resignation or other reason, said vacancy shall be filled for the remaining period of the unexpired term at the regular election next following the occurrence of the vacancy, in the same manner as provided herein; provided, however, that the election to fill such a vacancy shall be a separate election conducted on the same ballot as regular elections, but on a separate portion of the ballot. In the event of such a vacancy, the board of education may by majority vote appoint some qualified voter in the district to serve as interim member of the board until the vacancy can be filled by an election as above provided.

8 Present Members of the Board. Upon the qualification of the members of the board of education under the provisions hereof the term of office of the members of the board of education not covered by section 6 then in office shall be terminated.

9 Expenses. The expenses of the clerk of the city in connection with preparation for the provisions of this act shall be a charge upon the city.

10 Governing Body. All the powers of the district shall be vested in a board of education of nine members, hereinafter called the board. The board shall, at its first regular meeting in December choose one of its members as president for a term of one year. In the event of a vacancy occurring in the office of president, the board shall choose one of its members to serve for the unexpired term. The board shall, at its first meeting in December choose a person who shall not be a member of the board to serve as clerk of the district, and shall choose some other person, who also shall not be a member of the board, as treasurer of the district, and shall define their duties and determine their compensation. The district treasurer may be a regular employee of the district, but the clerk may not be an employee of the district.

11 Compensation. Members of the board of education shall receive fifty dollars per annum in full for their services.

12 All Meetings Public. All meetings of the board of education shall be public. Regular meetings shall be held on the second Monday of each month and special meetings shall be held on call of the president or upon written request of at least five members of the board. The board shall establish its own rules, and a majority shall constitute a quorum for the transaction of its business. Nothing herein shall prevent the board from holding executive sessions from which all except its own members may be excluded, for the discussion of matters which, in the opinion of a majority of the board, would not be in the public interest or would tend to injure any individual in his professional or personal affairs. All business of the board, however, shall be transacted in public session. Newly elected members of the board shall take office at the first meeting in December following their election.

13 Action by Resolution. District legislation shall be by resolution, adopted by a majority vote of those present, which shall be recorded by some officer or employee of the district designated by the board, and which shall be available to public inspection at the offices of the district during reasonable business hours. In the adoption of resolutions, the president of the board shall have a voice and vote in the determination.

14 General Powers. Except as herein otherwise provided, the board of education hereby established shall have and exercise all the powers and discharge all the duties conferred on or imposed upon school board, school districts and school committees by general law now in force or hereafter enacted.

15 District Meeting Abolished. All provisions of law relating to the annual meeting of Concord union school district are hereby repealed, so far as they are inconsistent with the intents and provisions of this act.

16 Finances. The fiscal and budget year of the district shall begin on the first day of July unless otherwise determined by resolution of the board. The district treasurer, or some other person designated by the board, shall maintain accounting control over the finances of the district, make financial reports, and shall audit and approve all claims against the district before paying the same.

17 Budget Procedure. The board of education shall timely prepare an annual estimate of the district's expenditures for the ensuing fiscal year, itemized in such detail as may be required by the state board of education. A public hearing on this budget shall be held by the board of education at some convenient place in the district not later than one hundred days prior to the beginning of the fiscal year, public announcement of the time and place of which shall be duly advertised not less than ten days prior to such hearing. The budget appropriation shall be made by the board of education not later than sixty days prior to the beginning of the fiscal year for which it shall apply. No additional appropriation shall be made for any purpose not included in the annual budget as adopted, unless voted by a two-thirds majority of the board after a public hearing held to discuss such additional appropriation.

18 Use of Funds. After the annual budget has been adopted by the Board of Education, it shall be a charge upon the polls and ratable estates of the district in the same manner as a budget adopted by the board of aldermen for the city of Concord. A tax warrant signed by the president of the board, with the authorization of a majority of said board, shall be timely served upon the board of assessors and tax collector of the city of Concord, for the collection of the taxes within the district necessary for the support of the district. The president of the board, or some officer designated by the board, shall from time to time as the occasion requires it, draw upon the treasurer of the city of Concord for funds necessary for the support of the district. After the annual budget has been adopted no money shall be drawn from the district treasury, not any obligation for the expenditure of money or property of the district be incurred, except pursuant to a budget appropriation, unless there shall be a specific additional appropriation therefor. The Board shall designate a depository or depositories for district funds.

19 Independent Audit. An independent audit shall be made of all accounts of the district at least annually, and more frequently if deemed necessary by the board. Such audit shall be made by a certified public accountant, except that an audit made by employees of the state board of education or the state tax commission may be deemed sufficient to meet the requirements of this section. Any district officer or employee may be

required by the board to give a bond for the faithful performance of his duties, and all officers or employees of the district receiving or disbursing district funds shall be so bonded. All official bonds shall be corporate surety bonds, and the premiums shall be paid by the district, and the bonds shall be filed with the chief administrative officer of the district designated by the board.

20 Borrowing. Subject to the applicable provisions of general law, the board of education by resolution approved by at least two-thirds of its members, may authorize the borrowing of money for any purpose within the scope of the powers vested in the district and may issue bonds of the district or other evidences of indebtedness therefor, and may pledge the full faith, credit and resources of the district for the payment of the obligations created thereby. Borrowing for a term exceeding one year shall be authorized by the board only after a duly advertised public hearing. The board shall have the authority, when issuing bonds or other obligations of the district, to negotiate with the city of Concord for the use of its facilities and credit.

21 Oath of Office. Every person elected or appointed to any district office, before entering upon the duties of his office, shall take and subscribe to an oath of office as provided by law, which shall be filed and kept in the office of the city clerk. Written notice of election or appointment of any district officer shall be mailed to him at his address by the city clerk.

22 Private Interest of Officers. No elective or appointive officer of the district shall take part in a decision concerning the business of the district in which he has a financial interest aside from his salary as such officer or employee, direct or indirect, greater than any other citizen or taxpayer. No officer or employee shall devote any district property or labor to private use, except as may be provided by law or resolution of the board.

23 Claims. No action at law or bill in equity for money or damages claimed due shall be sustained against the district unless a notice setting forth the nature and amount, if any, of the claim shall have been delivered or sent by registered mail to the principal office of the district not less than sixty days prior to the commencement of said action at law or bill in equity.

24 Miscellaneous Provisions. All records of the district shall be public. Any person who violates any provision of this act, unless otherwise provided, or who violates any resolution of the board for which no other punishment is provided, shall be fined not exceeding five hundred dollars or imprisoned not exceeding sixty days, or both. All general law relative to the government of school districts and the powers of school boards, with the exception of such provisions as may be inconsistent with this act, is hereby continued in force. The sections of this act and the parts thereof are separable. If any portion of this act, or the application thereof to any person or circumstance, shall be held invalid, the remainder thereof or the application of such invalid portions to other persons or circumstances shall not be affected thereby.

25 Takes Effect. This act shall take effect for the municipal election held in the city of Concord in November, 1961.

John M. Allen
Alfred J. Audet
Donald J. Welch
Thomas B. Jennings

Mr. Welch of Concord moved that the minority report, Ought to pass with amendment, be substituted for the report of the majority, Ought to pass with amendment.

Mr. Welch of Concord moved that reading of the amendment be dispensed with.

On a *viva voce* vote the motion was adopted.

Mr. Welch of Concord explained the minority amendment.

(discussion ensued)

Mr. Gibson of Concord spoke against the motion.

(Mr. Chandler of Bartlett in the Chair)

Messrs. Gove and Peaslee of Concord spoke against the motion.

Mr. Audet of Concord spoke in favor of the motion.

(discussion ensued)

Mrs. Davis of Concord spoke against the motion.

On a *viva voce* vote the motion was lost.

The question now being on the report of the majority, Ought to pass with amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Clement of Rochester for the Committee on Appropriations. SB 107, relative to salaries of legislative attaches. Ought to pass with amendment.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Compensation. Amend RSA 14:24 (supp) as amended by 1957, by striking out the same and inserting in place thereof the following: 14:24 House Attaches. The compensation of the following attaches of the house of representatives shall be, sergeant-at-arms, \$15; cutodian of mails and supplies for the house, \$12.50 a day; messengers, assistant messengers, telephone messengers, library messengers, doorkeepers, assistant wardens, pages and chaplain, \$9 a day; warden of the coatroom, \$10 a day; each for six days a week.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Compensation. Amend RSA 14:25 (supp) as amended by 1957, by striking out the same and inserting in place thereof the following: 14:25 Legislative Service Assistants. The compensation of the legislative service assistants of the house of representatives shall be as follows: For the chief assistant twelve dollars and fifty cents a day, provided, that for every five regular sessions of service, an additional one dollar a day shall be added until a maximum of fifteen dollars and fifty cents a day; for other assistants ten dollars and fifty cents for the first session of service, and fifty cents a day additional for each succeeding session of service until a maximum of twelve dollars and fifty cents a day, provided, that for every five regular sessions of service an additional one dollar a day shall be added until a maximum of fourteen dollars and fifty cents a day; each for six days a week.

Further amend said bill by adding after section 5 the following new sections:

6 Compensation. Amend RSA 14:20 by striking out the same and inserting in place thereof the following: 14:20 House Clerk. The compensation of the clerk of the house shall be one hundred fifty dollars a week for each six-day week of any regular session, together with seventy-five dollars for attendance according to law at the opening of each session. Said sums shall be in full for services performed at such regular session.

7 Compensation. Amend RSA 14:21 by striking out the same and inserting in place thereof the following: 14:21 Assistant Clerks. The compensation of the assistant clerk of the house shall be one hundred twenty dollars per week for each six day week of any regular session.

8 Compensation. Amend RSA 14:27 (supp) as amended by 1957, 314:3, by striking out the same and inserting in place thereof the following: 14:27 Mileage Clerk. The compensation of the mileage clerk of the house of representatives shall be as follows: eleven dollars a day for the first session of service and fifty cents a day additional for each succeeding session of service until a maximum of thirteen dollars a day, provided, that for every five regular sessions of service an additional one dollar a day shall be added until a maximum of fifteen dollars; each for six days a week.

Further amend said bill by renumbering section 6 to read section 9.

On motion of Mr. Clement of Rochester reading of the amendment was dispensed with.

Mr. Clement explained the amendments.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Taft of Greenville for the Committee on Appropriations.

SB 119, relative to medical assistance for the aged. Ought to pass with amendment.

(Section I of Amendment.)

Amend section 6 of the bill by striking out the section and inserting in place thereof the following: 6 Claims and Liens. Amend RSA 167 by inserting after section 16 the following new section: 167:16-a Limitations. Notwithstanding section 14 of this chapter, no lien for medical assistance for the aged may be imposed against the property of a recipient solely upon the basis of receipt of said aid prior to the death of such recipient except pursuant to a judgment of a court on account of benefits incorrectly paid, and notwithstanding any provision of law there shall be no claim, adjustment or recovery for any medical assistance for the aged correctly paid on behalf of such an individual except from the estate of such an individual after his or her death and the death of the surviving spouse, if any.

(Section II of amendment.)

Amend section 7 of the bill by striking out the words "and fifty" in the first line so that said section as amended shall read as follows:

7 Appropriation. The sum of two hundred thousand dollars for the fiscal year ending June 30, 1962, and a like sum for the fiscal year ending June 30, 1963, are hereby appropriated to be expended by the department of public welfare for state's share for medical assistance for the aged as established by this act. Any unexpended balance of said fund as of June 30, 1962, shall not lapse but may be expended for the same purposes in the following fiscal year. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

On motion of Mr. Clement of Rochester reading of the amendment was dispensed with.

Mr. Clement explained the amendments.

Messrs Bowler of Hanover and Deming of Danville spoke against the amendments.

At the request of Mr. Pillsbury of Manchester Mr. Taft of Greenville explained the amendments.

Miss Collyer of Lisbon and Messrs Pillsbury of Manchester, and Deans of Milford spoke against the amendments.

Mr. Clement of Rochester spoke in favor of the amendment.

(discussion ensued)

Mr. Pillsbury of Manchester requested a division of the question.

The Clerk read section 1 of the amendment.

The question now being on the adoption of section 1 of the amendment.

Mr. Bowler of Hanover spoke in favor of section 1 of the amendment.

(discussion ensued)

On a *viva voce* vote section 1 of the amendment was adopted.

The Clerk read section 2 of the amendment.

The question being on section 2 of the amendment.

(discussion ensued)

On a *viva voce* vote section 2 of the amendment was not adopted.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pillsbury of Manchester moved that SB 119 be placed on third reading and final passage by title only at the present time.

On a *viva voce* vote the motion was adopted.

Third Reading

SB 119, relative to medical assistance for the aged, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

Reconsideration

Mr. Pillsbury of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it passed SB 119, and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Clement of Rochester for the Committee on Appropriations, HB 227, relative to the construction of a physical education building at the University of New Hampshire. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

(Speaker in the Chair)

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 282, relative to the taxation of boats.

Amend House Bill 282, as amended by inserting after section 4 thereof the following:

5. Amend RSA 74 by inserting the following new section after section 3-a thereof.

74:3-b Continuing Fund. There is hereby appropriated the sum of six thousand dollars to be credited to the appropriation for the tax commission which shall constitute a continuing fund to be used to defray the costs of administration of the provisions of RSA 74:3-a. On or before December first in each year the tax commission shall charge against and bill each town and city for its proportionate share of the cost of administering the provisions of RSA 74:3-a, based upon the number of statements of ownership filed relating to boats in such towns and cities. The sums so reimbursed shall be credited to the continuing fund, no portion of which shall lapse. It shall be kept separate and apart from the other funds of the tax commission and shall be used as the need may arise in the next following and succeeding years to defray the costs of administration aforesaid so long as said law remains in effect. No portion of said fund shall be transferred or used for any other purpose than that herein provided for.

Further amend said bill by striking out section 5 thereof and inserting in place thereof the following:

6 Takes Effect. This act shall take effect July 1, 1961.

On motion of Mr. Chandler of Bartlett the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 206, relating to the construction of state armories.

Amend said bill by striking out in line one of section 1 thereof the word "twenty-five" and inserting in place thereof the word, fifty, so that said section as amended shall read as follows:

1 Appropriation. The sum of one hundred fifty thousand dollars, or so much thereof as may be needed, is hereby appropriated for the construction and equipping of new state armories at Franklin and Laconia, to replace existing buildings which are inadequate to provide the necessary facilities; provided that the federal government contributes at least equally with the state in the cost of such construction; and provided, that the title to new armories constructed by the use of any of the funds herein provided shall be vested in the state. The sums hereby appropriated shall be expended under the direction of the adjutant general with the approval of the governor and council.

Further amend said bill by striking out in lines two and three of section 3 thereof the word "twenty-five" and inserting in place thereof the word, fifty, so that said section as amended shall read as follows:

3 Funds Authorized. The treasurer is hereby authorized to borrow upon the credit of the state an amount not exceeding one hundred fifty thousand dollars to provide the funds herein appropriated and for that purpose may issue bonds or notes, at such times, in such denominations, and with such rate of interest, dates of maturity and other provisions as the governor and council shall determine. Such bonds or notes

shall be deemed a pledge of the faith and credit of the state and such bonds or notes shall be signed by the treasurer and countersigned by the governor. The proceeds from the sale of such notes or bonds shall be held by the treasurer, and paid out by him upon warrant drawn by the governor, with the advice and consent of the council, for the purpose herein set forth alone. The secretary of state and the treasurer shall keep account of such bonds or notes in the same manner as accounts are kept of other bonds or notes of the state.

Mr. Jenkins of New Castle moved that the House concur in the Senate amendments and explained the amendments.

On a *viva voce* vote the House concurred in the Senate amendments.

A further Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 14, in favor of Robert McPhee

Senate Joint Resolution Read And Referred

SJR 14, to Finance.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 145, relative to teaching persons to drive. Ought to pass with amendment.

Amend section 1 of said bill by inserting after the word "operator's" in the sixth line the word, license, and by inserting after the words "commercial operators'" in the tenth line the word, licenses.

Further amend said bill by numbering the effective clause as section 2.

On motion of Mr. Totman of Alstead the House concurred in the amendment.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 88, to grant tax exemption to national veterans associations. Ought to pass with amendment.

Amend section 1 of said bill by striking out the first line and inserting in place thereof the following:

1 Tax Exemption. Amend RSA 72:23-a (supp) as inserted by 1957, 202:4 by striking out the word "and" in the fourth line

Amend section 2 of said bill by striking out the first line and inserting in place thereof the following:

2 Report Required. Amend RSA 72:23-c (supp) as inserted by 1957, 202:4 by striking out the word "and" in the fourth line.

On motion of Mr. Jenkins of New Castle the House concurred in the amendment.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 411, relative to appointment of ballot inspectors. Ought to pass with amendment.

Amend section 1 of said bill by striking out the first line and inserting in place thereof the following:

1 Ballot Inspectors. Amend RSA 59:30 (supp) as amended by 1959, 280:1 by striking out in lines

On motion of Mr. Desnoyer of Claremont the House concurred in the amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 280, relative to a civil defense fire and rescue training center.

HB 229, for the acquisition of the Adams property in Durham for development of wildlife management areas.

HB 295, relative to future water supplies for the city of Manchester.

HB 487, creating the Nashua Airport Authority.

HJR 44, in favor of the estate of R. Wilbur Potter.

HB 22, relative to the state board of fire control.

HB 396, to incorporate New Hampshire Dental Service Corporation.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committees of Conference to whom was referred the following entitled bills:

HB 373, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1962.

HB 374, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1963.

HB 24, to restrict outdoor advertising on the interstate highway system.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 420, relative to unemployment compensation.

Amend section 1 of said bill by inserting after 1959, 28:1 in the second line the following, and 1961, 88:7.

Amend section 3 of said bill by striking out the figure "2" where it occurs in said section and inserting in place the figure, 1.

On motion of Mr. Angus of Claremont the House concurred.

Resolutions

Mr. Barker of Stratham and Mr. Langford of Raymond offered the following resolutions:

Whereas, Joseph Fiske, former representative from Raymond, has passed away, therefore be it

Resolved, that we, the members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to his services to his town and state and extend our deep sympathy to his family in its bereavement, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to Mr. Fiske's family.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Stonemetz of Dover for the Committee on Appropriations, HB 428, relative to railroad crossings. Inexpedient to legislate.

Mr. Coutermarsh of Lebanon moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Stonemetz of Dover spoke against the motion.

(discussion ensued)

Miss Collyer of Lisbon spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion was lost.

On a *viva voce* vote the resolution of the committee was adopted.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Barker of Stratham for the Committee on Municipal and County Government, SB 151, legalizing the annual meeting of the town of Newbury. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following: An Act legalizing the annual meeting of the town of Newbury and legalizing the votes and proceedings of the annual school district meeting in the town of Danbury.

Further amend the bill by renumbering section 4 to read section 5.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Neale of Hanover for the Committee on Appropriations, SB 150, relative to the financing of the Lebanon Re-

gional Airport and the contributions towards financing the same. Ought to pass with amendment.

Amend section 1 of the bill by striking out the word "monthly" in the thirteenth line and inserting in place thereof the word, annually, so that said section as amended shall read as follows:

1 Repayment of Vermont Grant. A percentage of all the service fees remitted to the New Hampshire Aeronautics Commission, as required by RSA 422:43 and 44 (supp), relative to passengers emplaning at the Lebanon Regional Airport, shall be paid to the State of Vermont until it shall have been repaid the sum of \$16,500.00 which it granted to the Lebanon City Council for use at said airport. Said percentage shall be calculated and established by said commission by dividing the total of the final complete amount received by said council from said commission under the provisions of RSA Title XXXIX as amended, to be expended on Lebanon Federal Aid Airport Project No. 9-27-006-6002 and \$16,500 into \$16,500.00. The state treasurer is hereby directed, authorized and empowered, upon certification of said commission, to make payments of said percentage annually to the State of Vermont until said sum of \$16,500.00 shall have been repaid in full.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Senate Message

A Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 143, extending the time when expenditures can be made from certain aeronautical appropriations.

Senate Bill Read and Referred

SB 143, to Appropriations.

Taken From The Table

SB 140, relative to trespassing on uncultivated land was taken from the table. The question being on the adoption of the committee amendment.

Mr. Normandin of Laconia spoke against the amendment.

(discussion ensued)

Mr. Spalding of Plainfield spoke against the amendment.

(discussion ensued)

Mr. Watson of Belmont and Mrs. Frizzell of Charlestown spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Normandin of Laconia offered the following amendment and moved its adoption.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Trespass. Amend RSA 572 (supp) by inserting after section 15 the following new section: 572:15-a Penalty, Uncultivated Land. No owner of uncultivated land shall post more than fifty acres of said land, and no more than five hundred yards of said posted land shall be located along a public highway, and whoever without right enters upon such uncultivated land posted as provided in section 16 shall be guilty of a misdemeanor, and if convicted shall be fined not more than fifty dollars.

The Clerk read the amendment in full.

(discussion ensued)

Messrs Bevan of Durham and Pillsbury of Manchester spoke in favor of the amendment.

Mr. Deans of Milford spoke against the amendment.

(Mr. Pappagianis of Nashua in the Chair)

Mr. Bradley of Thornton spoke against the amendment.

(discussion ensued)

Messrs Bowles of Portsmouth and Heald of Durham spoke in favor of the amendment.

Mr. Spalding of Plainfield spoke against the amendment.

Mr. King of Manchester moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question being on the adoption of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mrs. Frizzell of Charlestown requested a division.

The Chair requested a quorum count.

On the division vote, 131 members having voted in the affirmative and 104 in the negative the amendment was adopted and the bill was ordered to a third reading.

The Chair announced that today is the 33rd wedding anniversary of Mr. and Mrs. Berry of Barrington.

The Chair also announced that today is the 24th wedding anniversary of Mr. and Mrs. Neale of Hanover.

The Chair also announced that today is the 47th wedding anniversary of Mr. and Mrs. Watson of Belmont.

The Chair announced that today is the 35th wedding anniversary of Mr. Watkinson of Fitzwilliam.

Mr. Pickett of Keene moved that HB 439, relative to the conduct of sweepstake races and the sale of tickets thereon, be recalled from the Senate.

(Speaker in the Chair.)

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Afternoon Session

Third Readings

The following Senate bills and Senate Joint Resolution were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 91, to amend the teachers retirement system.

SJR 11, in favor of Mrs. Hattie M. Drake.

SB 72, providing for the election of county commissioners for the county commissioners for the county districts of Merrimack county.

SB 77, relative to bonds for public works.

SB 24, reclassifying certain highways in Rollinsford.

The following Senate bills were read a third time, passed, and sent to the Senate for concurrence in the House amendments:

SB 107, relative to salaries of legislative attaches.

SB 151, legalizing the annual meeting of the town of Newbury and legalizing the votes and proceedings of the annual school district meeting in the town of Newbury.

SB 150, relative to the financing of the Lebanon Regional Airport and the contributions towards financing the same.

SB 140, relative to trespassing on uncultivated land.

SB 119, relative to medical assistance for the aged.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 227, relative to the construction of a physical education building at the University of New Hampshire.

HB 353, relative to the election of members of the Union School District in Concord.

Reconsideration

Mrs. Davis of Concord, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 353, and spoke against the motion.

On a *viva voce* vote the motion was not adopted.

On motion of Miss Loizeaux of Plymouth the House adjourned at 2:20 o'clock.

WEDNESDAY, JUNE 28, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, Reverend George Pennington:

O God, we would be sensitive to Thy voice speaking within our consciences. Give us the grace to be more compassionate when we tend to be careless of the needs of others. When confronted with antagonism teach us that aggressiveness is a useful tool if invoked to initiate worthy deeds, but that getting-along requires patience and understanding. Help us to think imaginatively, to exercise a generous spirit, and to be wise enough to know that great ideals and moral courage form the framework for any lasting structure. Amen.

Pledge of Allegiance to the Flag

Mr. Adams of Lebanon led the Convention in the Pledge of Allegiance to the Flag.

House

Leave of Absence

Mr. Pinkham of Northwood was granted leave of absence for the day on account of important business.

On motion of Mrs. DeLude of Unity the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Goode of Manchester for the Committee on Rules, HB 480, relating to the election of representatives to the general court. Ought to pass with amendment.

Amend section 1 of the bill as follows:

1. Strike out the words and figures "Laconia ward 1, Rochester ward 6" under the paragraph for one representative and insert under the paragraph for two representatives the words and figures, Laconia ward 1, Rochester ward 6, Portsmouth ward 3, and strike out in the paragraph for three representatives the words and figures "Portsmouth ward 3".

2. Insert in the paragraph for four representatives the words and figures Manchester ward 14, and strike out in the paragraph for five representatives the words and figures "Manchester ward 14.

Amend section 2 of said bill as follows:

1. By changing the representation for Newfields to the following: 1964, 1966, 1968, 1970.

2. By changing the representation for Effingham to the following: 1962, 1966.

3. By changing the representation for Madison to the following: 1962, 1964.

Amend section 3 of said bill by striking out the words "twenty-three" in the third and seventh lines and inserting in place thereof the words, twenty-two.

Amend section 4 of said bill by striking out the words "twenty-three" in the third and seventh lines and inserting in place thereof the words, twenty-two.

The Clerk read the amendment in full.

At the request of Mr. Bowles of Portsmouth, Mrs. DeLude of Unity explained the amendment.

Mr. Bowles of Portsmouth moved that HB 480 be recommitted to the committee on Rules and spoke in favor of the motion.

Mr. Bowles subsequently withdrew his motion.

The question now being on the committee amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Chandler of Bartlett the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Hill of Conway for the Committee on Ways and Means, HB 173 in new draft, repealing the taxation on incomes.

Inexpedient to legislate. Minority, refer to the Legislative Council.

Mr. Kearns of Manchester
Mr. Morris of Manchester
Mrs. Ayre of Laconia
Mr. Prescott of Laconia
Mr. McAllister of Barnstead

Mr. Pickett of Keene moved that the report of the minority, to refer to the Legislative Council, be substituted for the report of the majority, Inexpedient to Legislate and spoke in favor of the motion.

Mr. Hill of Conway spoke against the motion.

(discussion ensued)

(Mr. Deans of Milford in the Chair)

Messrs. Coutermarsh of Lebanon, Allen of Rindge, Jenkins of New Castle, Urie of New Hampton and Mrs. Frizzell of Charlestown spoke in favor of the motion.

Messrs. Colbath of Dover and Bevan of Durham spoke against the motion.

(discussion ensued)

Mrs. DeLude of Unity spoke against the motion.

(discussion ensued)

Mrs. Cole of Nashua spoke against the motion.

Messrs. McDaniel of Nottingham, Geisel of Manchester, Keating of Sutton and Miss Faulkner of Keene spoke in favor of the motion.

Mr. Chandler of Bartlett spoke against the motion.

(discussion ensued)

Mr. Hill of Conway moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question now being on the motion to substitute the minority report for the majority report.

On a *viva voce* vote the Chair was in doubt and requested a division vote.

The Chair called for a quorum count and there was a quorum present.

197 members having voted in the affirmative and 56 in the negative the motion to substitute prevailed and the bill was referred to the Legislative Council for further study.

The Chair Declared a 45 Minute Recess

After Recess

(Speaker in the Chair)

Senate Messages

The Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the amendment to the following entitled bill sent up from the House of Representatives:

SB 119, relative to medical assistance for the aged.

and requests a Committee of Conference; the President has appointed as members of said Committee of Conference on the part of the Senate, Senator Gardner and Senator Daniel.

On a *viva voce* vote the House acceded to the request of the Senate and Messrs. Bowler of Hanover, Chandler of Bartlett and King of Manchester were appointed as conferees on the part of the House.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the amendment to the following entitled bill sent up from the House of Representatives:

SB 107, relative to salaries of legislative attachés, and requests a Committee of Conference; the President has appointed as members of said Committee of Conference on the part of the Senate Senator Cheney and Senator Caron.

On a *viva voce* vote the House acceded to the request of the Senate and Messrs. Goode of Manchester, Karkavelas of Dover and King of Manchester were appointed as conferees on the part of the House.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the amendment to the following entitled bill sent up from the House of Representatives:

SB 57, establishing an interim committee to study the question of extending the powers of the Maine-New Hampshire Interstate Bridge Authority, and requests a Committee of Conference; the President has appointed as members of said Committee of Conference on the part of the Senate Senator Dunnington and Senator Humphreys.

On a *viva voce* vote the House acceded to the request of the Senate.

Report of Engrossed Bills Committee

Mrs. Kinghorn of Piermont for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 22, relative to the state board of fire control.

HB 24, to restrict outdoor advertising on the interstate highway system.

HB 396, to incorporate New Hampshire Dental Service Corporation.

HB 373, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1962.

HB 374, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1963.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mrs. Neale of Hanover for the Committee on Appropriations, SB 123, to impose an operating fee on aircraft. Ought to pass.

Mr. Clement of Rochester explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Karkavelas of Dover for the Committee on Appropriations, HB 213, providing for the employment and salaries of professional personnel of the Teachers Colleges and Technical Institutes. Refer to the Interim Committee on Education.

Mr. Clement of Rochester explained the bill.

On a *viva voce* vote the resolution of the committee was adopted.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Karkavelas of Dover for the Committee on Appropriations, HB 419, relative to the salaries of registers and deputy registers of probate. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Salaries of Registers of Probate. Amend RSA 548:17 (supp) as amended by Laws 1957, 280:1 by striking out said section and inserting in place thereof the following: 548:17 Salaries. The annual salaries of the registers of probate in the several counties shall be paid by the state and shall be as follows:

For Rockingham county, three thousand six hundred dollars.

For Strafford county, three thousand four hundred dollars.

For Belknap county, two thousand nine hundred dollars.

For Carroll county, two thousand nine hundred dollars.

For Merrimack county, three thousand six hundred dollars.

For Hillsborough county, three thousand eight hundred dollars.

For Cheshire county, two thousand nine hundred dollars.

For Sullivan county, two thousand nine hundred dollars.

For Grafton county, three thousand four hundred dollars.

For Coos county, two thousand nine hundred dollars.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Salaries of Deputy Registers of Probate. Ament RSA 548:19 (supp) as amended by Laws 1957, 44:1, 279:1 by striking out said section and inserting in place thereof the following: 548:19 Salaries. The annual salaries of the deputy registers of probate in the several counties shall be paid by the state and shall be as follows:

	Minimum	Maximum
For Rockingham county	\$3600	\$4080
For Strafford county	3310	3790
For Belknap county	2640	3120
For Carroll county	2640	3120
For Merrimack county	3600	4080
For Hillsborough county	3840	4320
For Cheshire county	2640	3120
For Sullivan county	2640	3120
For Grafton county	3310	3790
For Coos county	2640	3120

Each deputy, upon qualifying, shall receive the minimum salary authorized herein and shall be entitled to an annual increase of \$120 until the maximum is reached, except that deputies in office now shall be entitled to receive the minimum salary increased by the sum of \$120 for each year of service prior to the enactment hereof but not exceeding the maximum provided herein.

On motion of Mr. Clement of Rochester reading of the amendment was dispensed with.

Mr. Clement explained the amendment.

(discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Introduction of a House Joint Resolution

HJR 45, relative to temporary and seasonal employees, was read a first and second time and referred to the committee on Appropriations.

The Clerk read the resolution in full.

On motion of Mr. Clement of Rochester the reference to committee was dispensed with and the resolution was ordered to a third reading at 3:00 o'clock this afternoon.

On motion of Mr. Plumer of Bristol the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Nickerson of East Kingston for the Committee on Public Works, HB 478, relative to a bridge over the Merrimack River at Nashua. Inexpedient to legislate, subject matter covered by previous legislation.

Mr. Plumer of Bristol spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Plumer of Bristol the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Plumer of Bristol for the Committee on Public Works, SB 14, changing the classification of a highway in the town of Haverhill. Inexpedient to legislate.

Mr. Plumer of Bristol explained the resolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Plumer of Bristol the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Nickerson of Goffstown for the Committee on Public Works, SB 41, empowering and authorizing the town of Derry to establish a department of public works. Inexpedient to legislate.

Mr. Plumer of Bristol explained the resolution.

On a *viva voce* vote the resolution was adopted.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following House bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 43, regulating small loans.

Amend the title of the bill by striking out the words "and providing limitations on rate of interest and charges generally" so that the title as amended will read: An act regulating small loans.

Amend subparagraph I of 399-A:2 as inserted by section 1 of the bill by striking out the words "one thousand" where they appear therein and inserting in place thereof the words "fifteen hundred" so that said 399-A:2 as amended will read as follows:

399-A:2 Scope; Exemptions; Penalty. I. No person shall, without first obtaining a license from the commissioner as hereinafter provided, engage in the business of making loans in amounts of fifteen hundred dollars or less and contract for, exact or receive, directly or indirectly, in connection with any such loan any charges, whether for interest, compensation, brokerage, endorsement fees, consideration, expense or otherwise, which in the aggregate are greater than six per cent per annum.

Amend subparagraph II of 399-A:2 as inserted by section 1 of the bill by inserting before the period at the end of said subparagraph II the following:

, nor shall this chapter apply to any person engaged solely in the business of making loans for educational purposes or to the loans made by such persons.

so that said subparagraph II as amended will read as follows:

399-A:2 II. This chapter shall not apply to any person lawfully engaged in business as permitted by the laws of this state or of the United States relative to banks, trust companies, insurance companies, savings or building and loan associations, credit unions or pawnbrokers or to loans made by them, nor shall this chapter apply to any person engaged solely in the business of making loans for educational purposes or to the loans made by such persons.

Amend subparagraph I of 399-A:3 as inserted by section 1 of the bill by striking out said subparagraph I of 399-A:3 and inserting in place thereof the following:

399-A:3 Amount of Loan and Maximum Charges. I. A licensee may lend any sum of money, goods, or things of value not exceeding in amount or value fifteen hundred dollars, excluding charges, upon such security not forbidden by section 7 as may be agreed upon, under a contract which permits the combined total of the principal and charges to be paid in substantially equal and consecutive monthly installments and may charge, contract for and receive charges not exceeding sixteen dollars per one hundred dollars per year on that part of the principal of the loan not exceeding eight hundred dollars and thirteen dollars per hundred dollars per year on that part of the principal of the loan exceeding eight hundred dollars but not exceeding fifteen hundred dollars and proportionately at those rates for a greater or lesser amount, within said limits, or over a longer or shorter term of loan. Such charges shall be computed when the loan is made on the principal of the loan for the full term of the loan contract and shall be added to the principal of the loan and the resulting sum shall be the face amount of the note. Every payment may be applied to the combined total of principal and charges until the contract is fully paid. If the contract is prepaid in full by cash, a new loan or otherwise before the final installment date the unearned portion of the charge shall be rebated. In computing any such rebate the charges applicable to a monthly period which has not fully elapsed shall not be deemed to be earned unless more than one-half of said period has elapsed on the date of prepayment in full. The portion of the charges applicable to any particular month of the contract shall be that proportion of the charges which the balance of the contract scheduled to be outstanding during such month bears to the sum of all monthly balances originally scheduled by the contract. Upon request, the lender shall deliver to the borrower a copy of the formula used in rebating charges.

Amend subparagraph I of 399-A:11 as inserted by section 1 of the bill by striking out said subparagraph I and inserting in place thereof the following:

399-A:11 Insurance. I. Credit life insurance and credit accident and health insurance may be issued in connection

with a loan or other credit transaction authorized by this chapter in compliance with the provisions of RSA 408:15 (2) and RSA 408-A (Supp); provided, however, that if there is more than one borrower or obligor on any such loan or credit transaction, such insurance may be issued on only one borrower or obligor.

Amend 399-A:15 as inserted by section 1 of the bill by striking out the words "but not more than one thousand dollars" and by adding at the end thereof the following sentence: Provided, however, that this exception shall not be applicable to any such person who has conducted such loan business during said period in conjunction with a small loan business licensed under chapter 399 RSA or at the same location as a small loan business licensed under chapter 399 RSA.

so that 399-A:15 as amended will read as follows:

399-A:15 — Exception. Any person primarily and continuously engaged in the business of making loans in the community to be served by the location for which application for license is made in amounts in excess of three hundred dollars from July 1, 1959 until the effective date of this chapter, and who has available for use or actually invested in loans which would have been subject to this chapter had they been made after the effective date of this chapter, or any combination thereof, an amount of capital not less than twenty-five thousand dollars, shall not be required to comply with requirement (b) of the preceding section in order to be entitled to be licensed if application for license is made within sixty days after the effective date of this chapter. Provided, however, that this exception shall not be applicable to any such person who has conducted such loan business during said period in conjunction with a small loan business licensed under chapter 399 RSA or at the same location as a small loan business licensed under chapter 399 RSA.

Amend 399-A:17 as inserted by section 1 of the bill by striking out the words "one thousand" where they appear therein and inserting in place thereof the words "fifteen hundred" so that 399-A:17 as amended will read as follows:

399-A:17 License; Posting and Change of Name. No person, partnership, or corporation shall make any loan of money, credit, goods, or things of value in the amount or to

the value of fifteen hundred dollars or less whether secured or unsecured, and charge, contract for, or receive a greater rate of interest than six per cent per annum therefor without holding a license from the bank commissioner. Each such license shall terminate on the first day of April next following its issue. Each license shall remain in full force and effect until surrendered, revoked, suspended or terminated. Each such license shall state the name and address of the licensee and shall be posted in the licensee's place of business. No license shall be transferable or assignable. Before the corporate or trade name under which the licensed business is conducted is changed the licensee shall give notice to the commissioner who shall amend the license accordingly without cost unless, in the opinion of the commissioner, the proposed change of name conflicts or might conflict with any existing registered name of any licensee.

Amend subparagraph I of 399-A:20 as inserted by section 1 of the bill by striking out the words "one thousand" where they appear therein and inserting in place thereof the words "fifteen hundred" so that said subparagraph I of 399-A:20 as amended will read as follows:

399-A:20 Examinations; Cease and Desist Orders; Injunctions. I. The commissioner or his duly authorized representative may at any time and shall periodically investigate the business and examine the books, accounts, papers and records of each licensee pertaining to the business of making loans of fifteen hundred dollars or less.

Amend subparagraph II of 399-A:20 as inserted by section 1 of the bill by striking out the words "one thousand" where they appear therein and inserting in place thereof the words "fifteen hundred" so that said subparagraph II of 399-A:20 as amended will read as follows:

399-A:20 II. The commissioner or his duly authorized representative may investigate at any time any person engaged in the business or participating in such business as principal, agent, broker, or otherwise; or any person who the commissioner has reasonable cause to believe is violating or is about to violate any provision of this chapter, whether such person shall claim to be within the authority or beyond the scope of this chapter. Any person not exempt hereunder who shall advertise for, solicit or hold himself out as willing to make or procure loans in the amount of, or of the value of, fifteen hundred

dollars or less shall be presumed to be engaged in the business described in paragraph I, section 2, of this chapter.

Amend 399-A:22 as inserted by section of the bill by striking out the words "one thousand" where they appear therein and inserting in place thereof the words "fifteen hundred" so that said 399-A:22 as amended will read as follows:

399-A:22 Deceptive Advertising. No licensee or other person, shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action in the amount of or of the value of fifteen hundred dollars or less, which is false, misleading or deceptive. The commissioner may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions.

Amend section 6 of the bill by striking out the words "one thousand" where they appear in said section and inserting in place thereof the words "fifteen hundred" so that said section 6 as amended will read as follows:

6 Loans of Fifteen Hundred Dollars and Less. Amend RSA 384:1 by striking out the words "three hundred" in the fifth line and inserting in place thereof the words "fifteen hundred", so that said section as amended shall read as follows: 384:1 Application of Title. The provisions of this title, so far as they properly may, shall apply to state banks, savings banks or institutions for savings, trust companies, banking companies and all similar corporations, building and loan associations, credit unions, Morris plan banks and the business of making loans in sums of fifteen hundred dollars or less, unless otherwise limited in their operation.

Amend sections 7, 8 and 9 of said bill by striking out said sections.

Amend section 10 of said bill by renumbering said section to be section 7.

On motion of Mr. Bigelow of Warner reading of the amendments were dispensed with and Mr. Bigelow explained the amendments.

Mr. Bigelow of Warner moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

On a *viva voce* vote the motion prevailed.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 154, legalizing the proceedings of the Annual School District Meeting of Kensington held March 11, 1961, and adjourned to May 20, 1961 and authorizing a bond issue accordingly.

Senate Bill Read and Referred

SB 154, to Municipal and County Government.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 430, relative to use of Municipal bond proceeds.

Amend said bill by striking out section 2 thereof and inserting in place thereof the following:

Section 2 Amend chapter 420, section 5 of the Session Laws of 1959 by striking therefrom the word "September" as found in line three of said section 5 and inserting in place thereof the word, October, so that said section as amended shall read as follows:

420:5 Municipal Primary. A primary conducted by the regular election officers shall be held at the regular polling places in each ward in the city of Manchester on the second Tuesday of October, 1961, and biennially thereafter, for the nomination of all candidates to be voted for at the biennial municipal election held in November, except members of the school committee.

Section 3 This act shall take effect upon its passage and all Acts or parts of Acts inconsistent therewith are hereby repealed.

On motion of Mr. Craig of Manchester the House concurred in the Senate amendment.

(Mr. Deans of Milford in the Chair)

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 368, relative to sales of liquor and beverages by hotels.

Amend the bill by striking out section 2 thereof and inserting in place thereof the following:

2 Cocktail Lounges. Amend RSA 178:4 by striking out in lines five, six, seven, eight and nine thereof the following. "No license provided by this section shall be issued to any hotel in towns not accepting the provisions of RSA 179 unless such hotel is classified as a resort hotel by the commission, and sales of liquor and beverages in such hotels shall not be made to a resident of the town in which such hotel is located" so that said section as amended shall read as follows:

178:4 Special License. The commission may issue a special license to any first-class hotel, holding the license and permit provided under section 3 hereof, to serve liquor and beverages in any room of said hotel designated by the commission. Said room shall not have an immediate entrance upon any public way. The commission may grant, regulate, suspend, or revoke said special license without affecting any other license and permit which may be granted to said hotel. The fee for such special license shall be one hundred dollars a year.

Further amend said bill by striking out section 3 thereof and inserting in place thereof the following:

3 Takes Effect. This act shall take effect upon its passage.

On motion of Mr. Angus of Claremont reading of the amendment was dispensed with. Mr. Angus explained the amendment.

Mr. Casassa of Hampton moved that the House non-concur in the Senate amendment and that a committee of Conference be appointed.

Mr. Angus of Claremont spoke against the motion.

Mr. Kearns of Manchester spoke against the motion.

(discussion ensued)

The Clerk read the amendment in full.

(discussion ensued)

Mr. Geisel of Manchester and Mrs. Palmer of Plaistow spoke in favor of the motion.

Mr. Murch of Portsmouth spoke against the motion.

Mr. Angus of Claremont spoke a second time against the motion.

Mr. Casassa of Hampton spoke a second time in favor of the motion.

(discussion ensued)

On a *viva voce* vote the motion did not prevail.

Mr. Casassa of Hampton requested a division.

113 members having voted in the affirmative and 161 in the negative the motion did not prevail.

On motion of Mr. Collishaw of Exeter the House concurred in the Senate amendments.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 241, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Claremont and their dependents.

HB 353, relative to the election of members of the Union School District in Concord.

HB 107, relative to certain retired employees in the city of Manchester.

(Speaker in the Chair)

Mr. Clement of Rochester moved that the order whereby SB 143, extending the time when expenditures can be made from certain aeronautical appropriations, was referred to the

committee on Appropriations be vacated and that the bill be taken up at the present time.

On a *viva voce* vote the motion prevailed and the bill was ordered to a third reading.

Senate Message

A Senate message announced that the Senate has voted to accede to the request of the House of Representatives to recall HB 439, relating to the conduct of sweepstake races and the sale of tickets thereon.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 178, to prohibit discrimination in places of public accommodation.

Amend section 1 of the bill by inserting at the end thereof the following words, or in the matter of rental or occupancy of a dwelling in a building containing more than one dwelling, so that said section as amended shall read as follows:

1 Places of Public Accommodation. Amend RSA 354:1 by striking out the words "issue or cause to be issued any circular, publication, advertisement or notice intended or calculated to" so that said section as amended shall read as follows: 354:1 Discrimination. No person shall directly or indirectly discriminate against persons of any race, creed, color, ancestry or national origin, as such, in the matter of board, lodging or accommodation, privilege or convenience offered to the general public at places of public accommodation or in the **matter of rental or occupancy** of a dwelling in a building containing more than one dwelling.

Amend the bill by inserting after section 1 the following new section.

2 Amend RSA Chapter 354 by inserting after section 4 thereof the following new section:

354:5 Civil Actions. Conviction of violation of the prohibitions contained in section 1 above may not be used as evidence in a civil action for damages or as a basis for such a civil action in any manner whatsoever.

Further amend the bill by renumbering section 2 thereof to read 3.

Amend the bill by inserting after section 2 thereof the following new section,

3 Penalty. Amend RSA 354:4 by striking out in lines two and three thereof the words "or imprisoned not less than thirty nor more than ninety days," so that section as amended shall read as follows:

354:4 Penalty. Whoever violates any provisions of sections 1 or 3 shall be fined not less than ten nor more than one hundred dollars.

Further amend said bill by renumbering section 3 thereof to read 4.

Mr. MacIssac of Laconia moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

Mr. Pillsbury of Manchester spoke against the motion.

Mr. MacIsaac of Laconia spoke in favor of the motion.

(discussion ensued)

Mr. O'York of Dover spoke in favor of the motion.

Messrs. Bowles of Portsmouth and Craig of Manchester spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion to non-concur did not prevail.

On motion of Mr. Pillsbury of Manchester the House concurred in the Senate amendments.

Reconsideration

Mr. Pillsbury of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it concurred in the Senate amendments on HB 178 and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Taken From The Table

SB 51, relating to licensing of auctioneers, was taken from the table.

The question being on the amendment as offered by the committee.

On a *viva voce* vote the amendment was adopted.

Mrs. Roulston of Salem offered the following amendment and moved its adoption.

Amend 311-A:9 as inserted by section 1 of the bill by inserting after the words "This chapter shall not apply to" the following: "foreclosure sales by mortgagees, lienholders or holders of any other kinds of security interests in real, personal or mixed property or to" so that said 311-A:9 as amended will read as follows:

311-A:9 Limitations. This chapter shall not apply to foreclosure sales by mortgagees, lienholders or holders of any other kinds of security interests in real, personal or mixed property or to sales conducted or made by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, guardians, conservators, receivers, assignees under voluntary assignments for the benefit of creditors or insurers, or by any other person required by law to sell real, personal or mixed property.

The Clerk read the amendment in full.

Mrs. Roulston explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 188, amending the charter of the city of Somersworth.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Somersworth. Amend Section 5 of Chap. 269 of the Laws of 1939, as amended by Chap. 380 of the Laws of 1947,

and Chap. 375 of the Laws of 1949 by striking out said section 5 as amended and inserting in place thereof the following:

5 Mayor. The mayor shall be chosen at the municipal election for a term of two years and shall receive an annual salary fixed by the city council, provided, however, any change in an annual salary once fixed shall not be effective until the first Tuesday of January following the municipal election. He shall have a negative upon all the acts of the council at which his veto power would extend had the city government herein constituted provided for a board of aldermen, and such veto shall extend to individual items of appropriations. He shall preside at the meetings of the city council, but shall have no vote except in case of equal division; and no vote can be passed or appointment made by the council over his veto unless by a vote of two-thirds, at least, of all the councilmen elected. On the first Tuesday of January following their election, the members of the city council shall elect by ballot one member as acting mayor who, in the absence of the mayor, shall have all of the powers and perform all the duties of the mayor during such absence, or during disability of the mayor or a vacancy in the office from any cause.

2 Takes Effect. This act shall take effect as of January 2, 1962.

On motion of Mr. Habel of Somersworth the House concurred in the Senate amendments.

Mr. Pickett of Keene moved that the rules of the House be so far suspended as to permit the reconsideration of HB 439, relating to the conduct of sweepstake races and the sale of tickets thereon, which had already been reconsidered by the House, and spoke in favor of the motion.

(discussion ensued)

On a division vote, 219 members having voted in the affirmative and 85 in the negative the motion to reconsider prevailed.

Mr. Pickett of Keene offered the following amendment and moved that the bill with pending amendment be made a special order for 11:01 tomorrow morning.

Amend the bill by inserting after section 2 the following new section: 3 Repeal. Paragraph I of RSA 72:15, relative to

taxation of stock in trade, and RSA 73:11 through RSA 73:16 inclusive relative to taxation of forest products are hereby repealed.

Further amend the bill by renumbering sections 3 and 4 to read 4 and 5.

On a *viva voce* vote the motion was adopted.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

SB 33, relating to fraternal benefit societies.

Amend section 1 of said bill by striking out the word "not" where it occurs in the eleventh line.

On motion of Mr. Hancock of Concord the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 393, relative to insurance brokers fees.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to insurance brokers fees.

On motion of Mr. Hancock of Concord the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bills:

SB 140, relative to trespassing on uncultivated land.

SB 150, relative to the financing of the Lebanon Regional Airport and the contributions towards financing the same.

SB 151, legalizing the annual meeting of the town of Newbury and legalizing the votes and proceedings of the annual school district meeting in the town of Danbury.

Mr. Spaulding of Plainfield moved that the conference committee be discharged on HB 63, providing one season for the taking of deer, and that a new committee of conference be appointed.

Mr. Spalding spoke in favor of the motion.

(discussion ensued)

Mr. Pillsbury of Manchester spoke against the motion.

Messrs Hill of Conway, Plumer of Bristol and Welch of Concord spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Pillsbury of Manchester requested a division.

174 members having voted in the affirmative and 122 in the negative the motion prevailed.

The Chair appointed Messrs Converse of Pittsburgh, Spaulding of Plainfield and Bushey of Northumberland as conferees on the part of the House.

Mr. Linehan of Manchester moved that the committee on Labor be discharged from its consideration of HB 427, relative to minimum wage law, and spoke in favor of the motion.

Mr. Angus of Claremont spoke against the motion.

(discussion ensued)

Mr. LeMay of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Dupont of Manchester requested a division.

75 members having voted in the affirmative and 195 in the negative the motion did not prevail.

Senate Message

A Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 158, relative to the military staff of the Governor.

Senate Bill Read And Referred

SB 158, to Military and Veterans Affairs.

Mr. Jenkins of New Castle moved that the rules of the House be so far suspended as to dispense with reference to committee on SB 158 and that the bill be acted on at the present time.

The Clerk read the bill in full.

Mr. Jenkins explained the bill.

On a *viva voce* vote the motion was adopted, and the bill was ordered to a third reading.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 199, relating to the salaries of mayor and councilmen of the city of Franklin.

Amend section 2 of said bill by striking out the first line and inserting in place thereof the following:

2 Salary of Mayor. Amend section 12 of chapter 260 of the Laws of 1893 by striking out after the word "cause" in the ninth

Further amend said section 2 by striking out the sixth and seventh lines and inserting in place thereof the following:

established by the council, after notice and public hearing, not to exceed two thousand dollars, payable quarter-annually which shall be in full for all services of any

On motion of Mr. Charland of Franklin the House concurred in the Senate amendment.

Resolutions

Mrs. Cole and Mrs. Cooper and Messrs Milliken and Underhill of Nashua offered the following resolutions for the Nashua Delegation:

Whereas, William A. Saunders, former representative from Nashua, Ward 1, has passed away, therefore be it

Resolved, that we, the members of the House of Representatives of the General Court of New Hampshire, hereby pay

tribute to his services to his city and state and extend our deep sympathy to his family in its bereavement, and be it further

Resolved, that the Clerk of the House transmit a copy of these Resolutions to the family.

On a *viva voce* vote the resolutions were unanimously adopted.

Messrs Gamache, King, Ecker and Vachon of Manchester offered the following resolutions:

Whereas, we have learned that our fellow member, Roger Crowley of Ward 14 Manchester because of illness will not be present with us for the remainder of this week, and

Whereas, Mr. Crowley, a valued and esteemed member of this body, has labored diligently and unceaselessly throughout this entire session of the General Court for the benefit of his city, county and state, now therefore be it

Resolved by the House of Representatives that we express to Mr. Crowley our appreciation of his devoted service, our regret that he cannot be with us during the closing days of the 1961 session and our good wishes for a speedy recovery, and be it further

Resolved that the Clerk of the House of Representatives send a copy of these resolutions to Mr. Crowley.

On a *viva voce* vote the resolutions were unanimously adopted.

Announcements

The Chair announced that today is the 74th birthday of Mr. Bouley of Nashua and also his 40th wedding anniversary.

Also today is the 31st wedding anniversary of Mr. and Mrs. Eaton of Hillsborough.

Also today is the 51st wedding anniversary of Mr. and Mrs. Arthur Adams of Lebanon and also is Mrs. Adam's birthday.

Mr. Deans of Milford moved that the rules of the House be so far suspended as to permit a hearing tomorrow morning on SB 157.

On a *viva voce* vote the motion was adopted.

On motion of Mr. Allen of Concord the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

Third Readings

The following Senate bills were read a third time, passed, and sent to the Secretary of state to be engrossed:

SB 123, to impose an operating fee on aircraft.

SB 143, extending the time when expenditures can be made from certain aeronautical appropriations.

SB 158, relative to the military staff of the Governor.

The following House bills and Joint Resolution were read a third time passed, and sent to the Senate for concurrence:

HB 480, relating to the election of representatives to the General Court.

HB 419, relative to the salaries of registers and deputy registers of Probate.

HJR 45, relative to temporary and seasonal employees.

SB 51, relating to licensing of auctioneers, was read a third time, passed, and sent to the Senate for concurrence in the House amendments.

On motion of Mrs. Fontaine of Berlin the House adjourned at 4:27 o'clock.

THURSDAY, JUNE 29, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered as follows by the Chaplain, Reverend George Pennington:

God of our fathers, we pause to recognize our indebtedness to Thee for the gift of life, for the blessings of a world in which Thou hast insured a place for us, and for the grace which is available to us to manage our lives fruitfully. As it is given unto us to shape the course of events and to influence the pattern of affairs, so would we keep fresh in our minds the fact that as Thou hast been the God of our fathers Thou wilt also be the God of those yet unborn who already are precious to us. Therefore, we pray that in our words and deeds we may be motivated to conduct ourselves so that future generations may walk not in our shadow but in the light of our lives. Amen.

Pledge of Allegiance to the Flag

Mr. Johnson of Rochester led the Convention in the Pledge of Allegiance to the Flag.

House

The Chair introduced Marshall W. Cobleigh of Nashua, first member ever elected as National Vice President of the United States Junior Chamber of Commerce, who addressed the House briefly and awarded the state plaque to Mr. Henry K. Roberts of Rochester, President of the N. H. Junior Chamber of Commerce.

Leaves of Absence

Mr. Pinkham of Northwood was granted leave of absence for the day on account of important business.

Mr. Waterhouse of Windham was granted leave of absence for today and tomorrow on account of illness.

Mr. Barker of Stratham was granted leave of absence for today and tomorrow on account of important business.

Report of Engrossed Bills Committee

Mrs. Ayre of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and Senate Joint Resolution:

HB 282, relative to the taxation of boats.

HB 368, relative to sales of liquor and beverages by hotels.

HB 411, relative to appointment of ballot inspectors.

SB 88, to grant tax exemption to national veterans associations.

SB 91, to amend the teachers retirement system.

SB 151, legalizing the annual meeting of the town of Newbury and legalizing the votes and proceedings of the annual school district meeting in the town of Danbury.

SJR 11, in favor of Mrs. Hattie M. Drake.

On motion of Mr. Bowler of Hanover the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. Bowler of Hanover for the Committee on Public Health, SB 53, to correct the reference in the statutes to the state department of health laboratory. Ought to pass.

Mr. Bowler explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Bowler of Hanover the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. Bowler of Hanover for the Committee on Public Health, SB 128, relating to fire prevention in nursing homes. Ought to pass.

Mr. Bowler explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Bowler of Hanover the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. Bowler of Hanover for the Committee on Public Health, SB 144, controlling the use of house boats. Refer to legislative council.

Mr. Bowler explained the bill.

On a *viva voce* vote the recommendation of the committee was adopted.

On motion of Mr. Bigelow of Warner the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. Bigelow of Warner for the Committee on Banks, HB 296, relative to interest charges on home mortgage loans. Ought to pass with amendment.

Amend RSA 398-A:8 as inserted by section 1 of the bill by adding at the end thereof the words, nor shall it apply to any loan made by or held by any institution under the supervision of the bank commissioner or by any nation or federal savings and loan association or other institution or agency existing under the Laws of the United States of America, so that said section as amended shall read as follows:

398-A:8 Application of Chapter. This chapter shall not apply to a loan secured by a first mortgage on real estate, nor shall it apply to any loan made by or held by any institution under the supervision of the bank commissioner or by any national bank or federal savings and loan association or other institution or agency existing under the Laws of the United States of America.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Eastman of Weare the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, SB 156, relative to state employees retirement system. Inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Eastman of Weare the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. Bowles of Portsmouth for the Committee on Executive Departments and Administration, SB 127, providing for the removal of names from check-lists in certain cases. Refer to Legislative Council.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. Desnoyer of Claremont for the Committee on Municipal and County Government, SB 154, legalizing the proceedings of the Annual School District Meeting of Kensington held March 11, 1961, and adjourned to May 20, 1961, and authorizing a bond issue accordingly. Ought to pass.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Deans of Milford SB 154 was placed on third reading and final passage by title only at the present time.

Third Reading

SB 154, legalizing the proceedings of the Annual School District Meeting of Kensington held March 11, 1961 and adjourned to May 20, 1961, and authorizing a bond issue accordingly, was read a third time, passed, and sent to the Secretary of State to be engrossed.

Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 297, relative to school buses.

Amend said bill by adding at the end thereof the following new section:

7 Provisions for other motor vehicles passing school bus. The driver of any school bus, as described in the foregoing section, shall wherever and whenever possible when receiving or

discharging school children, stop his vehicle off the travelled section of the highway and will not turn on his flashing red lights until cars immediately behind his vehicle have had a reasonable opportunity to pass said school bus.

Further amend said bill by renumbering section 7 to read 8.

On motion of Mr. Claffin of Wolfeboro the House non-concurred in the Senate amendment and asked for a committee of conference.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 395, relative to free registration number plates for emergency vehicles.

Amend the bill by striking out section 3 thereof.

Further amend the bill by renumbering section 4 to read 3.

Mr. Claffin of Wolfeboro moved that the House concur in the Senate amendment.

Mr. Bradley of Thornton moved that the House non-concur in the Senate amendment and that a committee of conference be appointed, and spoke in favor of the motion.

Mr. Deans of Milford spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Claffin of Wolfeboro, Bradley of Thornton and McGee of Lincoln as conferees on the part of the House.

The Chair also appointed as conferees on the part of the House on HB 297, relative to school buses, Messrs. Claffin of Wolfeboro, Urie of New Hampton and McGee of Lincoln.

Introduction of a Bill

HB 488, relative to the salary of the mayor of Dover, was introduced, read a first and second time and referred to the Dover Delegation.

Mr. Flanagan of Dover moved that the rules of the House be so far suspended as to dispense with reference to committee

on HB 488 and that the bill be acted upon at the present time.

The Clerk read the bill in full.

Mr. Flanagan spoke in favor of the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 75, providing a retirement system for employees of the city of Berlin.

Amend sections 1 and 2 of said bill by striking out the same and inserting in place thereof the following:

1 City of Berlin. The city of Berlin is hereby empowered to create a retirement system for the employees, who are not under any other system of retirement except Social Security, of the department of public works of said city. Employees of said department of public works will be eligible to become members of and receive the benefits therefrom by complying with the requirements of said system and making such payment to the retirement funds as may be established.

2 Retirement System. The mayor and board of aldermen may create a public works department retirement system. All of the business of said system shall be transacted, all of its funds invested and all of its cash, securities and other property held in trust, for the purposes for which received in the name of said system. The mayor and board of aldermen, if such a system is created, may elect a board of trustees, the number of and tenure of office to be determined by the mayor and aldermen which board of trustees shall have control of and the duty of administering the affairs of said retirement system.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Amount of Benefit. No retirement benefit hereunder shall be granted for a sum greater than one-half of the maximum

annual salary which the public works employee received while in the service of the city and in the determination of the amount of retirement benefit the mayor and aldermen may fix the amount which said employee shall contribute to said system and said contribution may vary in accordance with the age of the employee at the time of his entrance to said system.

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5 Interpretation. Said city in adopting a retirement system hereunder shall consider the same free from the discharge of any existing legal or contractual liability of said employees. Past services rendered by employees may be considered as a means of qualification for retirement benefits and also as a basis for amount of benefits.

On motion of Mr. Fortier of Berlin reading of the amendment was dispensed with.

Mr. Fortier explained the bill.

On motion of Mr. Fortier of Berlin the House concurred in the Senate amendments.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 108, relative to the Town of Hampton Municipal Development Authority.

Amend subsection (1) of section 21 of the bill by inserting in line three thereof after the word "may" the following, with the approval of the selectmen, so that said subsection as amended shall read as follows:

(1) For the purpose of providing funds to make payments certified by the treasurer under a contract or contracts for financial assistance, the town treasurer may with the approval of the selectmen, without further authority than that contained in this section and if and to the extent that funds have not otherwise been provided by the town and are available, in the name and behalf of the town borrow from time to time such sums as may be necessary, not exceeding in any year the maximum amount

for which provision is made in said contract or contracts for financial assistance and may issue therefor temporary notes of the town for not more than one year and may renew such notes provided the renewal notes shall mature in not more than one year from the date of the original note. Neither the indebtedness represented by such notes nor the obligation of the town under any contract for financial assistance shall be included in the term "net indebtedness" as defined in RSA 33:1 and such indebtedness or obligation shall not at any time be included in the debt of the town for the purpose of ascertaining its borrowing capacity. The town shall annually appropriate a sum sufficient to pay the amount certified to the treasurer under any contract for financial assistance and not otherwise paid and to pay temporary notes and interest thereon under this section, unless and to the extent that payments shall have otherwise been made or provided for.

Further amend subsection (m) of section 21 of the bill by striking out in line two thereof the words "a majority" and inserting in place thereof the following, two thirds. Further amend said subsection (m) by striking out in line three thereof the words "or special." Further amend said subsection (m) by striking out in lines four, five, six, seven, eight and nine thereof the words "without the necessity in the case of a special meeting, of any petition to the superior court for permission to hold such meeting, provided, however, that the warrant for such special meeting shall be published once in a newspaper having a general circulation in the community within one week after the posting thereof." so that said subsection as amended shall read as follows:

(m) Authorization by the town of a contract for financial assistance to the authority shall be by vote of two thirds of the voters present and voting on the question at an annual meeting of the town. The provisions of RSA 32 shall not apply to action taken at any town meeting with respect to such a contract for financial assistance.

On motion of Mr. MacIsaac of Laconia reading of the amendments were dispensed with.

Mr. MacIsaac explained the amendments.

On motion of Mr. MacIsaac of Laconia the House concurred in the Senate amendments.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 159, to enable towns and cities to contribute to ski areas under certain conditions.

SB 160, permitting property tax exemptions of ski areas under certain conditions.

Senate Bills Read and Referred

SB 159, to Ways and Means.

SB 160, to Ways and Means.

Committee of Conference Report

The Committee of Conference to which was referred Senate Bill 57 entitled An Act establishing an interim committee to study the question of extending the powers of the Maine-New Hampshire Interstate Bridge Authority, having considered the same, report the same with the following recommendation,

That the House recede from the adoption of its amendment and that the Senate and House adopt the following amendment:

Amend the bill by inserting after section 3 thereof, the following new section:

4 Constitutionality. In the event that any part or provision of this act shall be found to be in violation of the Constitution of the State of New Hampshire, said part or provision shall be stricken out and, as far as possible, all the remainder of this act shall continue and be in full force and effect.

Further amend the bill by renumbering section 4 to read 5.

Robert L. Galloway

Arnold T. Clement

Robert H. Congdon

Conferees on the part of the House

Cecil Charles Humphreys

Thomas C. Dunnington

Conferees on the part of the Senate

The Clerk read the report in full.

(discussion ensued)

On a *viva voce* vote the conference report was adopted.

Report of Committee on Engrossed Bills

Mrs. Ayre of Laconia for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 107, relative to certain retired employees in the city of Manchester.

HB 206, relating to the construction of state armories.

HB 420, relative to unemployment compensation.

SB 24, reclassifying certain highways in Rollinsford.

SB 77, relative to bonds for public works.

SB 145, relative to teaching persons to drive.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Whereas, It appears that all necessary legislative work may be accomplished by Friday, June 30 next, *therefore be it*

Resolved, By the Senate, the House of Representatives concurring, that the present session of the Legislature be brought to final adjournment on Friday, June 30 next, at five o'clock in the afternoon, *and be it further*

Resolved, That on that date all reports, bills and joint resolutions, with the exception of those such as have been referred to the Legislative Council, Judicial Council, Interim Study Committees, and the next Legislature, be indefinitely postponed.

Mr. Geisel of Manchester spoke against the motion.

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the concurrent resolution was adopted.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the pas-

sage of the following entitled bill sent up from the House of Representatives:

HB 429, relative to representative town meeting government.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. Vaughan of Newport for the Committee on Appropriations, SJR 12, to pay certain judgments against the state of New Hampshire. Ought to pass.

Mr. Clement explained the resolution.

On a *viva voce* vote the Senate Joint Resolution was ordered to a third reading.

On motion of Mr. Clement of Rochester SJR 12 was placed on third reading and final passage at the present time.

Third Reading

SJR 12, to pay certain judgments against the state of New Hampshire, was read a third time passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Bowler of Hanover SB 53 was ordered to a third reading at the present time.

SB 53, to correct the reference in the statutes to the state department of health laboratory, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Bowler of Hanover SB 128 was ordered to a third reading at the present time.

SB 128, relating to fire prevention in nursing homes, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Flanagan of Dover HB 488 was ordered to a third reading at the present time.

HB 488, relative to the salary of the mayor of Dover was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Bigelow of Warner HB 296 was ordered to a third reading at the present time.

HB 296, relative to interest charges on home mortgage loans, was read a third time, passed, and sent to the Senate for concurrence.

Senate Message

The Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 119, relative to medical assistance for the aged.

Resolution

Mr. Newell of Concord offered the following resolution and moved its adoption:

Resolved, that 1000 copies of each of the following bills, as engrossed, be printed: HB 124, HB 346 and SB 49. Said printed bills shall be made available to the public at the office of the secretary of state as soon after they have been approved as possible.

On a *viva voce* vote the resolution was adopted.

(1 Hour Recess)

After Recess

Conference Committee Report

The Committee of Conference to which was referred HB 63, providing for seasons for the taking of deer, having considered the same, report the same with the following recommendation,

That the House recede from its position of nonconcurrence and that the Senate and House adopt the following amendment:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Wild Deer. Amend RSA 208:2 (supp) as amended by 1955, 264:1 by striking out in the third, fourth and fifth lines the words "In the counties of Grafton, Coos and Carroll from

November first to November thirtieth and in all other counties of the state from December first to December twenty-first" and inserting in place thereof, from November twentieth through November thirtieth inclusive, in all counties of the state; and from November first through November nineteenth inclusive northerly of a line described as follows: Beginning at a point on the Connecticut River one and one-half miles North, twelve degrees East of the bench mark at Haverhill and thence South, eighty degrees East true bearing to a point on the Appalachian Trail Way in Kinsman's Notch, thence Northeasterly along said Appalachian Trail Way crossing U. S. Route 3 in Franconia Notch and continuing along said Appalachian Trail Way in a North and Easterly direction crossing U. S. Route 302 at Crawford Notch State Park, thence continuing along said Appalachian Trail Way in a Northeasterly direction to the Summit of Mt. Washington, thence Southerly along the Davis Path to the Glen Boulder Trail, and thence South and Easterly along the Glen Boulder Trail to the Glen Ellis Falls and thence Southerly along the Ellis River to the Coos-Carroll County line and thence Easterly along said County line to the State of Maine; and from December first through December tenth inclusive southerly of the above described line, so that said section as amended shall read as follows:

208:2 Taking, Time. Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset, from November twentieth through November thirtieth inclusive in all counties of the state; and from November first through November nineteenth inclusive northerly of a line described as follows: Beginning at a point on the Connecticut River one and one-half miles North, twelve degrees East of the bench mark at Haverhill and thence South, eighty degrees East true bearing to a point on the Appalachian Trail Way in Kinsman's Notch, thence Northeasterly along said Appalachian Trail Way crossing U. S. Route 3 in Franconia Notch and continuing along said Appalachian Trail Way in a North and Easterly direction crossing U. S. Route 302 at Crawford Notch State Park, thence continuing along said Appalachian Trail Way in a Northeasterly direction to the Summit of Mt. Washington, thence Southerly along the Davis Path to the Glen Boulder Trail, and thence South and Easterly along the Glen Boulder Trail to the Glen Ellis Falls and thence Southerly along the Ellis River to the Coos-Carroll County line and thence

Easterly along said County line to the State of Maine; and from December first through December tenth inclusive southerly of the above described line, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

2 Takes Effect. This act shall take effect October 1, 1961.

Harvey H. Converse

Tracy M. Spaulding

Walter O. Bushey

Conferees on the part of the House

Arthur M. Drake

Marye Walsh Caron

Conferees on the part of the Senate

The Clerk read the conference report in full.

Mr. Spaulding of Plainfield moved that the House adopt the committee of conference report and spoke in favor of the motion.

(discussion ensued)

At the request of Mr. Pillsbury of Manchester the Clerk read the report a second time.

Mr. Perreault of Berlin spoke against the motion.

Mr. Hill of Conway spoke in favor of the motion.

Mr. Sheridan of Berlin spoke against the motion.

Mr. Fortier of Berlin moved that further consideration of the conference committee report on HB 63 be indefinitely postponed.

Mr. Pickett of Keene moved that HB 63 be referred to the Legislative Council for further study and spoke in favor of the motion.

Messrs. Plumer of Bristol, Hill of Conway, Willey of Camp-ton, Morse of Enfield, Spaulding of Plainfield, Chandler of Bartlett, Coutermarsh of Lebanon and Mrs. Brown of Sandwich and Miss Whipple of Lebanon spoke against the motion.

Messrs. Rollins of Alton, Pillsbury of Manchester, Kearns of Manchester and Miss Spollett of Hampstead and Mrs. Palmer of Plaistow spoke in favor of the motion.

(discussion ensued)

(Mr. Deans of Milford in the Chair)

Mr. MacIsaac of Laconia moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion prevailed.

The question being on the motion that HB 63 be referred to the Legislative Council.

Mr. Merrifield of Sunapee demanded the Yeas and Nays and the roll was called as follows:

YEAS 152

SULLIVAN COUNTY: Cann, Gaffney, Prudhomme, Barrows, Desnoyer.

GRAFTON COUNTY: Johnson of Franconia.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Dumont, Vashaw, Bouchard, Fontaine, Gagnon, Ledoux, Marsh, Graham, Bragg, Shute, Stinson.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Spollett of Chester, Gay, Scott of Derry, Nickerson of East Kingston, Hackett, Eastman of Exeter, Purington, Wylie, Spollett of Hampstead, Casassa, Sewall, Twardus, Cheney, Carter, McDaniel, Palmer, Driscoll, Osborn, White of Portsmouth, Ward 5; Langford, Magoon, Felch.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Colbath, Drew, Clark of Lee, St. Pierre, Habel, Cormier, Littlefield.

BELKNAP COUNTY: Rollins, McAllister, Lord, Dulac.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Guilbeault, Hanson, Moore, Davis of Concord, Henry, McKay, Thompson of Northfield, Plourde, Thibeault, Brewster.

HILLSBOROUGH COUNTY: Edwards, Wiggin of Bedford, Bartlett, Hambleton, Jennings of Goffstown, Nickerson of Goffstown, Pickering, Eaton, Claveau, Gallagher, Provencal, Warren,

Lang, Pettigrew, Pillsbury, Bruton, Hayes, Cullity, Nolan, Manning, Szelog, Walsh, Casey, Clancy, Dupont, Ecker, Healy of Manchester, Ward 6; O'Conner, Lafrance, Tessier, Compagna, Cote, Craig, Delisle, Cary, Morris, Belanger, Bergeron, Kearns, King, Hurley, Lemay, Levasseur, Nalette, Allard, Chapdelaine, Daniel of Manchester, Lesmerises, Rousseau, Gamache, Vachon, Cooper, Dionne of Nashua, Ward 2; Kirkorian, Brosnahan, Maynard, Pappagianis, Dionne of Nashua, Ward 6; Marcoux, Boisvert, Mason, Bissonnette, Bouley, Grandmaison, Lavallee, Sabliski, Karnis, Peabody.

CHESHIRE COUNTY: O'Neil, Watkinson, Turner, Clark of Harrisville, Cournoyer, Desmarais, Haley, Terrill, Parker, Pickett, Allen of Rindge, Crain, Ballam.

NAYS 180

SULLIVAN COUNTY: Bascomb, Frizzell, Campbell, D'Aman-te, Guest, Weber, Williamson, Bailey, Downing, Vaughan, Spalding, Merrifield.

GRAFTON COUNTY: Paquette, Gilbert, Plumer, Willey, Chandler of Canaan, Morse, Gage, Bowler, Hayward of Hanover, Low, Neale, Karsten, Adams of Lebanon, Beard, Coutermarsh, Demers, Porter, Whipple, McGee, Collyer, Hill of Littleton, Martin, Haskins, Cushman, Kinghorn, Bell, Loizeaux, Barney, Avery, Bradley, Anderson, Berringer.

COOS COUNTY: Oakes, Emerson, Crockett, Kimball of Jefferson, Bushey, Potter of Northumberland, Taylor of Whitefield.

ROCKINGHAM COUNTY: Persson, Deming, Scott of Deerfield, Kimball of Derry, White of Derry, Weeks, Clark of Kingston, Jenkins, Hislop, Keefe, Bowles, Murch, Stafford, Dame, Chandler of Portsmouth, White of Portsmouth, Ward 4; Carkin, Cross, Greene of Rye, Roulston.

STRAFFORD COUNTY: O'York, Fellows, Stonemetz, Richardson, Flanagan, Bevan, Heald, Littledale, Adams of Madbury, Reid, Rolfe, Marsan, Maxfield, Watson of Rochester, Potvin, Johnson of Rochester, Varney, Wyatt.

BELKNAP COUNTY: Watson of Belmont, Matheson, Robertson, Lacaille, Harkins, Normandin, Ayre, Prescott, Stothart, O'Shan, Jones, MacIsaac, Allan of Meredith, Smith, Urie, Joslyn, Howe.

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Roberts, Thompson of Effingham, Blake, Lamprey, Taylor of Ossipee, Brown of Sandwich, Nickerson of Tamworth, Kurth, Fox, Chamberlain, Claflin.

MERRIMACK COUNTY: Phelps, Asby, Hutchinson, Allen of Concord, York, Audet, Gibson, Hancock, Bingham, Seamans, Lovejoy, Quinn, Sanders, Barnard, Gove, Newall of Concord, Welch, Rufo, Brown of Danbury, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Carpenter, Broek, Mulaire, Brown of Loudon, London, Tarrant, Keith, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Taft, Brocklebank, Ainley, Geisel, Goode, Martel, Dumas, Falconer, Cole, Milliken, Sullivan, Chartrain, Locke, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, Gowing, Stearns, Keating, Bennett, Faulkner, Miskelly, Kretowicz, Oliver, Wildey, Frost, Sawyer.

and the motion to refer HB 63 to the Legislative Council was lost.

The question now being on the motion to indefinitely postpone HB 63.

Mr. Fortier of Berlin withdrew his motion to indefinitely postpone HB 63.

The question now being on the adoption of the committee of conference report.

Messrs. Chandler of Bartlett and Pillsbury of Manchester spoke against the adoption of the report of the committee of conference.

Mr. Lamprey of Moultonboro spoke in favor of adoption of the committee of conference report.

Mr. Pillsbury of Manchester requested a division.

148 members having voted in the affirmative and 169 in the negative the committee of conference report was not adopted.

Mr. Chandler of Bartlett moved that a new committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed the following members as conferees on the

part of the House: Messrs. Pillsbury of Manchester, Purington of Exeter and Casey of Manchester.

Personal Privilege

Messrs. Soucy and Martel of Manchester and Mrs. Potter of Northumberland rose on a point of personal privilege.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. Taft of Greenville for the Committee on Appropriations, HB 468, relative to Souhegan River Watershed Project. Ought to pass with amendment.

Amend the bill by striking out section 2 and renumbering section 3 to read section 2.

Mr. Clement of Rochester explained the bill with pending amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit third reading and final passage of IIB 468 at the present time by title only.

Third Reading

HB 468, relative to Souhegan Watershed Project, was read a third time, passed, and sent to the Senate for concurrence.

(Speaker in the Chair)

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

Mr. Vaughan of Newport for the Committee on Appropriations, HB 203, relative to bounties for porcupines. Ought to pass with amendment.

Amend the bill by striking out section 1 of the bill.

Amend section 2 of the bill by striking out the word "nine" in the first line and inserting in place thereof the word, six, so that section as amended shall read as follows:

2 Appropriation. There are hereby appropriated the sum of six thousand dollars for the fiscal year ending June 30, 1962 and a like sum for the fiscal year ending June 30, 1963, for the purpose of making reimbursements to selectmen and city clerks for porcupine bounties as provided in RSA 470:4. The sums hereby appropriated shall be a charge upon general funds and they shall not lapse but be a continuing appropriation.

Further amend said bill by renumbering sections 2 and 3 to read sections 1 and 2.

The Clerk read the amendment in full.

Mr. Clement of Rochester explained the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit third reading and final passage of HB 203 at the present time by title only.

Third Reading

HB 203, relative to bounties for porcupines, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mr. Karkavelas of Dover for the Committee on Appropriations, HB 377, to provide for expansion of the state park system. Ought to pass with amendment.

Amend section 3 of the bill by striking out the words "private persons or agencies, provided, however, that any lease agreement with such private persons or agencies wherein the state is lessee shall be for a term of not less than forty years, or with" in the twentieth, twenty-first, twenty-second and twenty-third lines so that section as amended shall read as follows:

3 Forestry and Recreation Commission: Authority. In the performance of its duties hereunder the commission shall give equal consideration to the recreational needs of all geographic areas of the state and shall have particular concern for the following objectives: a. the development of present parks

and facilities thereon to their optimum capacity for skiing, camping, and other income producing potential. b. development of any other lands and facilities that the state now owns for optimum recreational potential. c. acquisition of new areas and facilities thereon within the state, believed by the commission to have sound potential for development, use and operation as state parks, historic sites or wayside areas. With the approval of the governor and council the commission shall have authority in the name of the state to acquire by lease, purchase or gift, and if need be, after acquisition, to dispose of by sale or exchange either land adjacent to present state parks believed by the commission to be required for the protection of the state or land for new areas. With like approval and notwithstanding any other provision of law the commission may enter into agreements with public agencies, state, federal, or municipal, for the use, development and operation of lands so acquired or for the construction, use, development and operation of facilities thereon or to be constructed thereon which agreements may include the right to receive grants, aids or services as may be available from the federal government for acquisition, planning, development maintenance or operation of state parks, and with respect to other New England states may include arrangements for regional planning, acquisition, development and operation of interstate parks. In the performance of its duties hereunder, the commission with approval of governor and council may employ such services as are necessary to acquisition, planning, design and development, and for such purposes it may assign to permanent employees of the department such additional duties on a temporary basis as it deems necessary and advisable. In such event, the performance of such additional duties by such personnel may be compensated from funds made available under this chapter.

Amend section 3-a of the bill by striking out the words "and act only upon the recommendations of" in the fifth and sixth lines so that said section as amended shall read as follows:

3-a State Historical Commission; Recommendations. Under the authority of this act, in the selection, development, use and operation of sites and properties having historical significance, now owned or to be acquired by the state, the forestry and recreation commission shall consult with the state historical commission.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4 Appropriation. A sum not exceeding five million dollars is hereby appropriated for the purposes and projects authorized by the foregoing sections, as may be approved by the governor and council, provided, nevertheless, that no project shall be approved by the governor and council unless a public hearing has been held thereon.

Amend section 5 of the bill by striking out the word "ten" in the fourth line and inserting in place thereof the word, five, so that section as amended shall read as follows:

5 Bonds or Notes Authorized. For the purpose of providing funds necessary for the appropriation made by section 4 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time, a total of five million dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1990.

Further amend the bill by renumbering sections 3-a, 4, 5, 6, 7, and 8 to read 4, 5, 6, 7, 8 and 9 and adding the following new sections.

10 Recreational Facilities. Amend RSA 162-A:1 (supp) as inserted by 1955, 254:1 by inserting after the word "industry" in the second line the words, recreational facilities, and by inserting after the word "industrial" in the seventh line the word, recreational, so that said section as amended shall read as follows:

162 A-1 Declaration of Need and Purpose. It is declared that there is a state-wide need for the development of additional industry, recreational facilities and areas suitable for such development for the preservation and betterment of the economy of the state and its inhabitants. It is the purpose of this chapter to provide for the establishment of such areas together with adequate transportation, water, sewage and other necessary facilities so as to provide and encourage orderly industrial

and recreational development in the best interests of the state. It is further declared that the purposes of this chapter are public and that the industrial park authority, created hereunder, shall be regarded as performing a governmental function in carrying out of the provisions of this chapter.

11 Definitions. Amend RSA 162-A:2 (supp) as inserted by 1955, 254:2 by adding at the end thereof the following new paragraph:

(5) The words "industry" and "industrial park" shall include recreational facilities.

12 Debt Limitation. Amend RSA 162-A:12 (supp) as inserted by 1955: 254:12 and amended by 1957, 237:1 and 1959, 142:1 by striking out the words "three million dollars" in the third line and inserting in place thereof the words, eight million dollars, of which amount not more than three million dollars shall be in connection with industrial projects and not more than five million dollars shall be in connection with projects for recreational facilities, so that said section as amended shall read as follows:

162-A:12 Debt Limitation. The authority shall not issue its notes or bonds as provided by this act at any one time in an amount exceeding eight million dollars, of which amount not more than three million dollars shall be in connection with industrial projects and not more than five million dollars shall be in connection with projects for recreational facilities.

The Clerk read the amendment in full.

Mr. Roberts of Conway explained the amendment.

Mr. Chandler of Bartlett spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester HB 377 was placed on third reading and final passage at the present time.

Third Reading

HB 377, to provide for expansion of the state park system, was read a third time, passed, and sent to the Senate for concurrence.

Engrossed Bills Report

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 346, establishing a department of resources and economic development, merging therein planning and development, forestry, recreation, and transferring thereto for limited purposes the water resources board and the New Hampshire state port authority. Ought to pass with amendment.

Amend RSA 12-A:5 as inserted by section 3 of the bill by striking out the thirteenth line and inserting in place thereof the following:

manufacturing, one of agriculture, one of recreation, one of forestry, one from the general public.

Amend said bill by striking out sections 4, 5 and 6 being amendments to RSA 206:8, 12 and 13.

Further amend said bill by renumbering the remaining sections of the bill to read 4, 5, 6, 7, 8 and 9.

Amend section 7 as renumbered section 4 of said bill by striking out in the eighth, ninth and tenth lines the figures \$8,866 — \$10,192 and inserting in place thereof the figures \$9,621.04 — \$10,947.04.

On motion of Mr. Shepard of Londonderry the House concurred in the amendment.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mr. King of Manchester for the Committee on Appropriations, HB 471, relative to salaries of the secretary of state and the state treasurer. Ought to pass with amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

relative to the salaries of the secretary and deputy secretary of state and the state treasurer and deputy state treasurer.

Amend section 3 of the bill by adding at the end thereof the following:

“Deputy secretary of state

7098

8164”

“Deputy state treasurer	7098	8164”
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so said section as amended shall read as follows:

3 Official Salaries. Amend RSA 94:1 (supp) as amended by 1957, 274:4 by striking out the following lines:

“Secretary of state	8268	9516”
“State treasurer	8268	9516”
“Deputy secretary of state	7098	8164”
“Deputy state treasurer	7098	8164”

Amend said bill by inserting after section 3 the following new sections:

4 Deputy Secretary of State. Amend RSA 5:18 by striking out the words “that prescribed by RSA 94:1-4” in the second line and inserting in place thereof the words, nine thousand five hundred dollars, so that said section as amended shall read as follows: 5:18 Salary. The annual salary of the deputy secretary of state shall be nine thousand five hundred dollars.

5 Deputy State Treasurer. Amend RSA 6:24 by striking out the words “that prescribed by RSA 94:1-4” in the second line and inserting in place thereof the words, nine thousand five hundred dollars, so that said section as amended shall read as follows: 6:24 Salary. The annual salary of the deputy state treasurer shall be nine thousand five hundred dollars.

6 Appropriation. There is hereby appropriated for the additional amounts herein provided for the above named officers the sum of five thousand four hundred twenty dollars and forty cents for the year ending June 30, 1962 and the sum of five thousand one hundred fifty four dollars and ninety cents for the year ending June 30, 1963. The sums hereby appropriated shall be a charge upon the general funds.

7 Limitation. The salaries as provided for the above named officers shall be in full compensation for their duties and any acts passed at the present session of the general court providing for salary increases for unclassified employees shall not apply to said officers.

8 Assistant or Deputy Director of Recreation: Notwithstanding any other provision of law, the position of assistant or deputy director of recreation shall not be abolished during the biennium ending June 30, 1963.

9 Appropriations. In addition to any other appropriations made for the fiscal year ending June 30, 1962, the following sums are hereby appropriated:

For forestry division (forestry and recreation):

District fire supervision*

Personal services — permanent	4,465.76
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*For salary of maintenance mechanic II

For board of education:

Administration:†

Personal services — permanent	3,602.30
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†For salary of account clerk III

For public utilities commission:

Office of commission:‡

Personal services — permanent	3,251.30
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‡For salary of clerk typist II

Like amounts are hereby appropriated for the fiscal year ending June 30, 1963. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend said bill by renumbering section 4 to read section 10.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to place HB 471 on third reading and final passage at the present time by title only.

Third Reading

HB 471, relative to salaries of the secretary of state and deputy secretary of state and the state treasurer and deputy state treasurer, was read a third time, passed, and sent to the Senate for concurrence.

Taken From the Table

HB 439, relating to the conduct of sweepstake races and the sale of tickets thereon was taken from the table.

The question being on the amendment.

The Clerk read the amendment in full.

Amend the bill by inserting after section 2 the following new section: 3 Repeal. Paragraph I of RSA 72:15, relative to taxation of stock in trade, and RSA 73:11 through RSA 73:16 inclusive relative to taxation of forest products are hereby repealed.

Further amend the bill by renumbering sections 3 and 4 to read 4 and 5.

Mr. Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit the third reading and final passage of HB 439 at the present time by title only.

Third Reading

HB 439, relating to the conduct of sweepstake races and the sale of tickets thereon, was read a third time, passed, and sent to the Senate for concurrence.

Conference Committees Appointed

The Chair appointed as conferees on the part of the House on HB 43, regulating small loans, Messrs. Stevens of Epsom, Hancock of Concord and Maloomian of Somersworth.

The Chair appointed as conferees on the part of the House on SB 57, extending the powers of the Maine-N. H. Interstate Bridge authority, Messrs. Clement of Rochester, Galloway of Walpole and Congdon of Troy.

Reconsideration

Mr. Pickett, having voted with the majority, moved that the House reconsider its vote whereby HB 439 was passed, and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of

a committee report not previously advertised in the Journal for two days.

Mr. Karkavelas of Dover for the Committee on Appropriations, HB 290, to create a bank advisory board. Ought to pass with amendment.

Amend paragraph 3 of section 1 by striking out the words "plus a per diem of ten dollars per meeting when engaged in official duties for the board" in the third and fourth lines so that said paragraph as amended shall read as follows:

383:21 Compensation. The members of said board shall serve without salary but shall be reimbursed for their necessary expense of travel and subsistence. Said expenses shall be a charge upon the appropriation for the bank commission.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit third reading and final passage of HB 290 at the present time.

Third Reading

HB 290, to create a bank advisory board, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Bigelow of Warner, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 290, and spoke against the action.

On a *viva voce* vote the motion did not prevail.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 43, An Act to regulate small loans, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence and concur with the Senate in the adoption of the following Senate amendments: Paragraphs I and II, RSA 399-A:2;

RSA 399-A:17; paragraphs I and II, RSA 399-A:20; RSA 399-A:22, all of which were inserted by section 1 of the bill; amendments to section 6 and the amendment whereby section 7 was stricken out;

That the Senate recede from its position in adopting all its other amendments, and

That the following amendments be adopted:

Amend the bill by striking out RSA 399-A:3, as inserted by section 1 of the bill, and inserting in place thereof the following:

399-A:3 Amount of Loan and Maximum Charges.

1. A licensee may lend any sum of money, goods, or things of value not exceeding in amount or value fifteen hundred dollars, excluding charges, upon such security not forbidden by section 7 as may be agreed upon, under a contract which permits the combined total of the principal and charges to be paid in substantially equal and consecutive monthly installments and may charge, contract for and receive charges not exceeding sixteen dollars per one hundred dollars per year on that part of the principal of the loan not exceeding six hundred dollars and twelve dollars per one hundred dollars per year on that part of the principal of the loan exceeding six hundred dollars but not exceeding fifteen hundred dollars and proportionately at those rates for a greater or lesser amount, within said limits, or over a longer or shorter term of loan. Such charges shall be computed when the loan is made on the principal of the loan for the full term of the loan contract and shall be added to the principal of the loan and the resulting sum shall be the face amount of the note. Every payment may be applied to the combined total of principal and charges until the contract is fully paid. If the contract is prepaid in full by cash, a new loan or otherwise before the final installment date the unearned portion of the charge shall be rebated. In computing any such rebate the charges applicable to a monthly period which has not fully elapsed shall not be deemed to be earned unless more than one-half of said period has elapsed on the date of prepayment in full. The portion of the charges applicable to any particular month of the contract shall be that proportion of the charges which the balance of the contract scheduled to be outstanding during such month bears to the sum

of all monthly balances originally scheduled by the contract. Upon request, the lender shall deliver to the borrower a copy of the formula used in rebating charges.

II. No licensee shall permit any person, or any husband and wife, jointly or severally, to be obligated to him, on one or more contracts of loan, the total principal balance of which is more than fifteen hundred dollars.

III. No licensee shall induce or permit any borrower to split up or divide any loan. No licensee shall induce or permit any person, or any husband and wife jointly or severally, to become obligated to him, directly or contingently, or both, under more than one contract of loan at the same time, for the purpose or with the result of obtaining a higher rate of charge than would otherwise be permitted by this section.

IV. For the purpose of applying paragraphs II and III of this section only, licensee shall mean any single licensee, except that in the event any person or affiliated group of persons holds more than one license in the state, such person or affiliated group of persons shall be considered a single licensee.

V. If the contract so provides, a licensee may charge and collect an additional charge for either default or deferment. When one-half or more of an installment remains unpaid ten or more successive calendar days from the due date, it shall be in default. The additional charge for default may be collected at the time of default or at any time thereafter. The charge for default shall be five cents per dollar for each dollar of the regular contract payment. If a borrower desires to defer the scheduled contract payment and the lender agrees it will have the effect of extending the contract for an additional month. The assessment charge for a deferred payment will be one per cent of the actual existing or ledger card balance of the account. This charge will be collected only once for each deferment.

VI. In computing charges a month shall be that period of time from any date in a month to the corresponding date in the next month but if there is no such corresponding date then to the last day of such next month and a day shall be considered one-thirtieth of a month when computation is made for a fraction of a month.

VII. If charges in excess of those permitted by this chapter shall be charged, contracted for or received except as a re-

sult of an accidental or bona fide error the contract of loan shall be void and the licensee shall have no right to collect or receive any principal, charges or recompense whatsoever.

Amend paragraph I of RSA 399-A:11 as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

I. Credit life insurance and credit accident and health insurance may be issued in connection with a loan or other credit transaction authorized by this chapter in compliance with the provisions of RSA 408:15 (2) (supp) and the cost of such insurance and any commission, benefit or return to the licensee therefrom shall not be deemed a violation of any provision of this chapter; provided, however, that if there is more than one borrower or obligor on any such loan or credit transaction, such insurance may be issued on only one borrower or obligor.

Amend RSA 399-A:15 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

399-A:15 — Exception. Any person primarily and continuously engaged in the business of making loans in the community to be served by the location for which application for license is made in amounts in excess of three hundred dollars but not more than fifteen hundred dollars from July 1, 1959, until the effective date of this chapter, and who has available for use or actually invested in loans which would have been subject of this chapter had they been made after the effective date of this chapter, or any combination thereof, an amount of capital not less than twenty-five thousand dollars, shall not be required to comply with requirement (b) of the preceding section in order to be entitled to be licensed if application for license is made within sixty days after the effective date of this chapter.

Amend RSA 399-B:2 as inserted by section 9 of the bill by striking out said section and inserting in place thereof the following:

399-B:2 Statement Required. Any person engaged in the business of extending credit shall furnish to each person to whom such credit is extended, concurrently with the consummation of the transaction or agreement to extend credit, a clear statement in writing setting forth the finance charges, expressed

in dollars, rate of interest, or monthly rate of charge, or a combination thereof, to be borne by such person in connection with such extension of credit as originally scheduled.

Further amend said bill by renumbering sections 8, 9, and 10 to read 7, 8 and 9.

Mr. Stevens of Epsom
Mr. Hancock of Concord
Mr. Maloomian of Somersworth
Conferees on the Part of the House

Sen. Dunlap of Hopkinton
Sen. Caron of Manchester
Conferees on the Part of the Senate

On motion of Mr. Stevens of Epsom reading of the report was dispensed with.

Mr. Stevens explained the report.

On motion of Mr. Stevens of Epsom the conference report was adopted.

A Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled joint resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HJR 45, relative to temporary and seasonal employees.

Amend the joint resolution by inserting at the end thereof the following:

Notwithstanding the provisions of RSA 94:1 as previously amended and as amended by an act passed by the 1961 session of the General Court, providing for salary increases for unclassified state employees, the annual salaries for the following positions shall be as follows:

Title	Minimum	Maximum
Clerk of Supreme Court	\$10,290.20	\$11,653.20
Secretary, Tax Commission	10,634.00	12,220.00
Tax Commissioner (2)	8,993.14	10,241.14
Comm., Dept. of Empl. Sec.	10,249.20	11,653.20
Comm. Pub. Wks. & Hwys.	12,000.04	14,800.24
Deputy Comm. Pub. Wks. & Hwys.	10,866.18	12,424.36
Asst. Comm. Pub. Wks. & Hwys.	10,634.00	12,220.00

This joint resolution shall take effect on July 1, 1961.

On motion of Mr. Chandler of Bartlett the House concurred in the Senate amendment, and the resolution was referred to the Legislative Council.

On motion of Mr. MacIsaac of Laconia the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mr. MacIsaac of Laconia for the Committee on Executive Departments and Administration, SB 109, to provide full pay for employees of the state police incapacitated in line of duty subject to certain conditions. Amend and refer to the Legislative Council.

Amend the bill by striking out the title and inserting in place thereof the following:

An Act to provide compensation for state employees injured while engaged in certain hazardous occupations.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 State Police Incapacity Pay. Amend RSA by inserting after chapter 106 the following new chapter:

Chapter 106-A

Compensation for Incapacity as a Result of Hazardous State Employment.

106-A:1 Pay During Incapacity. All attendants in a disturbed ward at the state hospital, guards at the state prison, officers of the state police, and all other state employees whose occupations are certified as hazardous by the personnel commission's descriptions of said occupation who shall, while engaged in certain occupations, receive any injury or contract any disability or disease, by reason of such occupation and without fault, neglect, or misconduct on his part, which shall incapacitate him from pursuing his usual occupation shall, during the period of such incapacity, receive full pay without loss of any sick leave or annual leave, provided that the state will be subrogated to the employee's rights, if any, against the party causing the incapacity to the extent only that the payments to the employee hereunder have exceeded the compensation which the

employee would have otherwise been entitled to, and provided further that said employee may not accept workmen's compensation payments, other than reimbursement for medical and hospital expenses arising out of said incapacity, or any payment under the provisions of the state employees retirement system or the state police retirement system.

106-A:2 Claims Board. All claims for full pay as provided for under this chapter shall be inquired into by the claims committee, consisting of the labor commissioner, the deputy state health officer, and a member of the office of the attorney general, upon recommendation of the chief administrative employee of the department in which the claimant is employed. Said committee shall have the authority to find whether the claimant is incapacitated and whether such incapacity arose by reason of his occupation and, upon the request of the chief administrative employee of the department in which any claimant is employed, may reconsider any claim and demand or otherwise alter its original findings, and may from time to time during the continuance of any such incapacity, cause the claimant to submit to physical examinations.

106-A:3 Termination. In the event that any claimant under this chapter is found by the claims committee to be permanently and totally disabled, all payments under the provisions of this chapter shall cease and in the event that any claimant under the provisions of this chapter receives workmen's compensation payments, other than reimbursement for medical and hospital expenses, he shall be entitled to no payments under the provisions of this chapter for the time during which he receives such compensation payments.

2 Takes Effect. This act shall take effect sixty days after its passage.

On motion of Mr. MacIsaac of Laconia reading of the amendment was dispensed with.

Mr. MacIsaac of Laconia explained the amendments.

On a *viva voce* vote the amendment was adopted.

The question now being on the recommendation that SB 109 be referred to the Legislative Council.

On a *viva voce* vote the recommendation of the committee was adopted.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mr. Karkavelas of Dover for the Committee on Appropriations, HB 70, providing for the training of fire fighters. Ought to pass.

Mr. Clement of Rochester explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to place HB 70 on third reading and final passage at the present time.

Third Reading

HB 70, providing for the training of fire fighters, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mr. King of Manchester for the Committee on Appropriations, HJR 9, providing an appropriation toward reconstruction of Fort at Number Four. Ought to pass.

Mrs. Frizzell of Charlestown explained the resolution.

On a *viva voce* vote the resolution was ordered to a third reading.

On motion of Mr. King of Manchester the rules of the House were so far suspended as to place HJR 9 on third reading and final passage at the present time.

Third Reading

HJR 9, providing an appropriation toward reconstruction of Fort at Number Four, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mrs. Lord of Gilford the rules of the House were so far suspended as to permit the introduction of a com-

mittee report not previously advertised in the Journal for two days.

Mrs. Lord of Gilford for the Committee on Appropriations, HB 45, relative to use of voting machines in the city of Manchester. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 City of Manchester; Elections. The mayor and aldermen of the city of Manchester may install voting machines for the elections held in wards one and two in said city.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mrs. Lord of Gilford the rules of the House were so far suspended as to place HB 45 on third reading and final passage at the present time.

Third Reading

HB 45, relative to use of voting machines in the city of Manchester, was read a third time, passed, and sent to the Senate for concurrence.

Reconsideration

Mrs. Frizzell of Charlestown, having voted with the majority, moved that the House reconsider its vote whereby it passed HJR 9, providing an appropriation toward reconstruction of Fort at Number Four, and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 402, relative to credit unions.

Amend said bill by striking out paragraph 5 and inserting in place thereof the following:

5 Reports. Amend RSA 394:45 by striking out the word "fifteen" in the first line and inserting in place thereof the word, twenty, so that said section as amended shall read as follows: 394:45 Annual. Within twenty days after the last business day of June in each year, every credit union shall make to the commissioner a report in such form as he may prescribe, signed by the president, treasurer and majority of the supervisory committee, who shall certify and make oath that the report is correct according to their best knowledge and belief.

On motion of Mr. Bigelow of Warner the House concurred in the Senate amendments.

On motion of Mr. Bell of Plymouth the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

Mr. Gibson of Concord for the Committee on Finance, HB 484, authorizing the appointment of a consultant to the commissioner of safety. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Consultant. The superintendent of the state police in office on the date of passage of this act shall be a consultant to the commissioner of Safety. He shall be appointed by the commissioner of safety, with the approval of the governor and council. The annual salary of said consultant shall be five thousand and ninety-six dollars. Said salary shall be a charge upon the funds of the department of public works and highways.

2 Takes Effect. This act shall become effective upon the appointment and qualification of the commissioner of safety, and shall only be effective until July 1, 1962.

The Clerk read the amendment in full.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Bell of Plymouth the rules of the House were so far suspended as to place HB 484 on third reading and final passage at the present time.

Third Reading

HB 484, authorizing the appointment of a consultant to the commissioner of safety, was read a third time, passed, and sent to the Senate for concurrence.

Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 477, to redistrict the State into senatorial districts.

Further amend section 1 of said bill by striking out the paragraph numbered 62:23 and inserting in place thereof the following:

62:23 District 12. Senatorial district number twelve contains Amherst, Brookline, Greenville, Hollis, Mason, Merrimack, Milford, Mont Vernon, wards one and two of Nashua, New Ipswich, Wilton, and Lyndeborough.

Further amend section 1 of said bill by striking out the paragraph numbered 62:24 and inserting in place thereof the following:

62:24 District 13. Senatorial district number thirteen contains Hudson, Litchfield, and wards three, four, five, six, seven, eight and nine of Nashua.

Further amend section 1 of said bill by striking out the paragraph numbered 62:30 and inserting in place thereof the following:

62:30 District 19. Senatorial district number nineteen contains Auburn, Candia, Chester, Derry, Hampstead, Londonderry, Pelham, Raymond, Salem, and Windham.

Further amend section 1 of said bill by striking out the paragraph numbered 62:33 and inserting in place thereof the following:

62:33 District 22. Senatorial district number twenty-two contains Atkinson, Brentwood, Danville, East Kingston, Epping, Exeter, Fremont, Kensington, Kingston, Newfields, Newmarket, Newton, Plaistow, Sandown, Seabrook and South Hampton.

Further amend section 1 of said bill by striking out the paragraph numbered 62:34 and inserting in place thereof the following:

62:34 District 23. Senatorial district number twenty-three contains Greenland, Hampton, Hampton Falls, Newington, North Hampton, wards one and two of Portsmouth and Stratham.

Amend section 1 of said bill by striking out the paragraph numbered 62:14 and inserting in place thereof the following:

62:14 District 3. Senatorial district number three contains Monroe, Lyman, Lisbon, Bath, Franconia, Bethlehem, Haverhill, Benton, Piermont, Easton, Lincoln, Woodstock, Waterville, Thornton, Campton, Holderness, Plymouth, Landaff, Ashland, Meredith, Livermore, Center Harbor.

Further amend section 1 of said bill by striking out the section numbered 62:16 and inserting in place thereof the following:

62:16 District 5. Senatorial district number 5 contains Orford, Lyme, Dorchester, Hanover, Canaan, Lebanon, Enfield, Groton, Orange, Grafton, Hebron, Alexandria, Bristol, New Hampton, Bridgewater, Ellsworth, Warren, Wentworth, and Rumney.

Further amend section 1 of said bill by striking out the paragraph numbered 62:18 and inserting in place thereof the following:

62:18 District 7. Senatorial district number seven contains Andover, Boscawen, Canterbury, Wards one and two of Concord, Danbury, Franklin, Hill, Newbury, New London, Northfield, Sanbornton, Sutton, Tilton, and Wilmot.

Further amend section 1 of said bill by striking out the paragraph numbered 62:20 and inserting in place thereof the following:

62:20 District 9. Senatorial district number nine contains Antrim, Bennington, Bradford, wards three and seven of Concord, Deering, Francestown, Greenfield, Henniker, Hillsborough, Hopkinton, Temple, New Boston, Salisbury, Warner, Weare, Webster, and Windsor.

Further amend section 1 of said bill by striking out the paragraph numbered 62:25 and inserting in place thereof the following:

62:25 District 14. Senatorial district number fourteen contains Allenstown, Bedford, Bow, Chichester, Dunbarton, Epsom, Goffstown, Hooksett, Pembroke, and Pittsfield.

On motion of Mr. Bowles of Portsmouth reading of the amendment was dispensed with.

Mr. Bowles of Portsmouth explained the amendments.

Mr. Rufo of Concord moved that HB 477 be referred to the Judicial Council to be reported back to the General Court during the first week of the next legislative council.

Messrs. Healy of Manchester Ward 6, Keefe of Portsmouth, Kearns of Manchester, LeClerc of Manchester and King of Manchester spoke in favor of the motion.

Messrs. Bowles of Portsmouth, Pillsbury of Manchester and Chandler of Bartlett spoke against the motion.

Mr. Hambleton of Goffstown moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question now being on the motion to refer HB 477 to the Judicial Council.

Mr. Pillsbury of Manchester requested a division.

109 members having voted in the affirmative and 196 in the negative the motion did not prevail.

The question now being on the amendment as offered by the Senate.

On a *viva voce* vote the House concurred.

Mr. LeClerc of Manchester requested a division.

205 members having voted in the affirmative and 97 in the negative the House concurred in the Senate amendment.

Reconsideration

Mr. Bowles of Portsmouth, having voted with the majority, moved that the House reconsider its vote whereby it concurred

in the Senate amendments on HB 477 and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 449, relative to term of office of members of the state soil conservation committee.

Amend section 1 of said bill by striking out the same and and inserting in place thereof the following:

1 Term of Office. Amend RSA 430:2 (supp) as amended by 1955, 239:1, by striking out said section and inserting in place thereof the following: 430:2 State Soil Conservation Committee. There is hereby established to serve as an agency of the state, the state soil conservation committee, which shall consist of five members; the director of the state agricultural extension service, the director of the state agricultural experiment station, the state agricultural commissioner and two farmer members, at least one of whom shall be a district supervisor. Said farmer members shall be appointed by the governor with the advice and consent of the council to serve two years respectively from August 1 and until their successors are appointed and qualified, provided, however, that of the first appointments made hereunder one farmer member shall be appointed to serve for a term of one year, and the other farmer member shall be appointed for a term of two years. Vacancies shall be filled for the unexpired term. The committee so composed shall elect its own chairman. The members of said committee shall serve without compensation, but the farmer members shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties. It may adopt rules and regulations necessary for the execution of its functions hereunder and shall keep a record of its official actions. Within the limits of the appropriation it may employ such employees as it requires and fix their compensation subject to the rules and regulations of the division or personnel.

On motion of Mr. Burrill of Littleton reading of the amendment was dispensed with.

Mr. Burrill explained the amendments.

On a *viva voce* vote the House concurred in the Senate amendments.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 330, relative to the Concord city charter.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 City of Concord. Amend section 11 of chapter 429 of the laws of 1957 by striking out said section and inserting in place thereof the following:

429:11 Compensation. The mayor and aldermen shall receive an annual salary fixed by the board of aldermen, provided, however, any change in an annual salary once fixed shall not be effective until the first Tuesday of January following the municipal election.

Mr. Quinn of Concord moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Quinn, Rufo and York of Concord as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 465, establishing marriage counseling service.

Amend section 1 of said bill by adding after the word "representative" in line three of 167-B:1 the words, subject to be established by the Superior Court, so that said section as amended shall read as follows:

167-B:1 Service Established: Court Referrals. Whenever a libel for divorce or petition for legal separation has been filed with the Superior Court the presiding justice or his authorized representative, subject to rules to be established by the Superior Court, pending a hearing upon the merits, shall exercise his discretion to determine if the matter before the court shall be referred for marriage counseling to an approved Family Service Agency within the jurisdiction of the court. Any such referrals shall be binding upon the libelant or petitioner and upon any libelee or petitionee who enters an appearance or otherwise submits himself to the court's jurisdiction.

On motion of Mr. Martel of Manchester the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed a bill and Joint Resolution with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 157, to create the Littleton Parking District.

SJR 13, Joint Resolution to continue the committee on investigation of gasoline and fuel oil prices.

Senate Bill and Senate Joint Resolution Read and Referred

SB 157, to Municipal and County Government.

SJR 13, to Judiciary.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to permit a public hearing to be held on SB 157 tomorrow morning.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 463, to incorporate the inhabitants of the easterly part of Lisbon into a separate town, with all the privileges and immunities of other towns in this state.

Amend section 7 of the bill by adding at the end thereof the following, Notwithstanding anything to the contrary in

this section, in the event that prior to March 1, 1962 the Village District of Lisbon is established with all powers, liabilities and taxes identical so far as is possible to the prior Lisbon Village District which was dissolved in June 1960, then this act shall be null and void and from the day of said establishment of no further force and effect, so that said section as amended shall read as follows:

7 Takes Effect. This act shall take effect as of April 1, 1962 provided however, that during the period from March 1, 1962 to March 31, 1962, the first meeting of Sugar Hill shall be held as provided by section 4 of this act. Notwithstanding anything to the contrary in this section, in the event that prior to March 1, 1962 the Village District of Lisbon is established with all powers, liabilities and taxes identical so far as is possible to the prior Lisbon Village District which was dissolved in June 1960, then this act shall be null and void and from the day of said establishment of no further force and effect.

Miss Collyer of Lisbon moved that the House concur in the Senate amendment and spoke in favor of the motion.

Mr. Pickett of Keene spoke against the amendment and moved that the House non-concur and that a committee of conference be appointed.

(discussion ensued)

Mr. Hancock of Concord spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

(discussion ensued)

(Mr. Clement of Rochester in the Chair)

Mr. Burrill of Littleton spoke in favor of the motion.

(Speaker in the Chair)

Mr. Desnoyer of Claremont and Mr. Chandler of Bartlett spoke in favor of the motion.

(discussion ensued)

Mr. Peterson of Peterborough and Mr. Bradley of Thornton spoke in favor of the motion.

Mrs. Davis of Concord moved the previous question and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question now being on the motion to non concur in the Senate amendment and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed Mrs. DeLude of Unity, Miss Loizeaux of Plymouth and Mr. Craig of Manchester as conferees on the part of the House.

A further Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 161, relative to salaries for classified and unclassified state employees.

Senate Bill Read and Referred

SB 161, to Appropriations.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 63, An Act providing for the taking of deer, having considered the same, report the same with the following recommendation:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendment, and that the Senate and House adopt the following amendment:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Wild Deer. Amend RSA 208:2 (supp), as amended by 1955, 264:1, by striking out in the third, fourth and fifth lines the words "In the counties of Grafton, Coos and Carroll from November first to November thirtieth and in all other counties of the state from December first to December twenty-first" and inserting in place thereof, November first through November thirtieth inclusive northerly of a line described as follows: Beginning at a point on the Connecticut River one and one-half miles north, twelve degrees east of the bench mark at Haverhill and thence south, eighty degrees east true bearing to a

point on the Appalachian Trail Way in Kinsman's Notch, thence northeasterly along said Appalachian Trail Way crossing U. S. Route 3 in Franconia Notch and continuing along said Appalachian Trail Way in a north and easterly direction crossing U. S. Route 302 at Crawford Notch State Park, thence continuing along said Appalachian Trail Way in a northeasterly direction to the summit of Mt. Washington, thence southerly along the Davis Path to the Glen Boulder Trail, and thence south and easterly along the Glen Boulder Trail to the Glen Ellis Falls and thence southerly along the Ellis River to the Coos-Carroll County line, and thence easterly along said county line to the State of Maine; and from December first through December twenty-first inclusive southerly of the above described line, so that said section as amended shall read as follows:

208:2 Taking, Time. Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset, from November first through November thirtieth inclusive northerly of a line described as follows: Beginning at a point on the Connecticut River one and one-half miles north, twelve degree east of the bench mark at Haverhill and thence south, eighty degrees east true bearing to a point on the Appalachian Trail Way in Kinsman's Notch, thence northeasterly along said Appalachian Trail Way crossing U. S. Route 3 in Franconia Notch and continuing along said Appalachian Trail Way in a north and easterly direction crossing U. S. Route 302 at Crawford Notch State Park, thence continuing along said Appalachian Trail Way in a northeasterly direction to the summit of Mt. Washington, thence southerly along the Davis Patch to the Glen Boulder Trail, thence south and easterly along the Glen Boulder Trail to the Glen Ellis Falls, thence southerly along the Ellis River to the Coos-Carroll County line and thence easterly along said county line to the State of Maine; and from December first through December twenty-first inclusive southerly of the above described line, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

2 Takes Effect. This act shall take effect October 1, 1961.

John Pillsbury
James Purington
Dennis Casey

Conferees on the Part of the House

Arthur M. Drake

Marye W. Caron

Conferees on the Part of the Senate

On a *viva vote* vote the committee of conference report was adopted.

Messrs. Goode and King of Manchester and Chandler of Bartlett offered the following concurrent resolution and moved its adoption:

Whereas, His Excellency, Wesley Powell, Governor of the State of New Hampshire, has been elected Chairman of the National Governors Conference at its session now being held in Hawaii, and

Whereas, This is the first time in history that New Hampshire has been honored by having its governor elected to this high office, and

Whereas, This presents a wonderful opportunity for further service, not only to our beautiful state but to our wonderful country, therefore be it

Resolved by the House of Representatives, the Senate concurring, that we, the Members of the New Hampshire General Court, extend to Governor Powell our heartiest congratulations on this happy occasion and express to him our appreciation, not only of this honor coming to our state, but of the qualities of character, accomplishments and experience by which he attained this high office, and our best wishes for a continuation of his success, and be it further

Resolved, That a copy of these Resolutions be transmitted to His Excellency, Wesley Powell, Governor of the State of New Hampshire.

On motion of Mr. Pickett of Keene the concurrent resolution was adopted on a rising vote.

A further Senate message announced that the Senate has passed the following concurrent resolutions, in the passage of which it asks the concurrence of the House of Representatives:

Whereas, the New Hampshire General Court has approved legislation to establish a new Department of Safety; and

Whereas, every effort should be expended to the end that this Department will be in a position to administer the finest highway safety program possible; and

Whereas, with such a large percentage of our motor vehicle travel originating outside of our state, it is imperative that any change in our motor vehicle laws should be aimed towards uniformity with motor vehicle laws of other states; and

Whereas, the Uniform Vehicle Code is recognized throughout the nation as the goal towards which all states should strive in modernization of their traffic laws;

Therefore Be it Resolved, that a special interim uniform vehicle laws study committee be authorized to compare our state's laws with the Uniform Vehicle Code and prepare legislation which may be presented to the next session of the Legislature to bring our state's traffic laws into closer conformance with the provisions of the Code; and

Be it Further Resolved, that the committee shall consist of three members of the Senate to be appointed by the President of the Senate; four members of the House to be appointed by the Speaker of the House; the Director of Motor Vehicles; the Director of State Police; the Attorney General; and five citizens at large, representing organized groups of motor vehicle owners and industries associated with highway transportation, to be appointed by the Governor.

On a *viva voce* vote the House adopted the concurrent resolution.

Resolutions

Mr. O'York of Dover offered the following resolutions:

Whereas, we have learned that our Fellow Member, Guy M. Wiggin of Ward 1, Dover, because of illness will not be present with us for the remainder of this week, and

Whereas, Mr. Wiggin, a valued and esteemed member of this body, has labored diligently and unceaselessly throughout this entire session of the General Court for the benefit of his city, county and state, now therefore be it

Resolved, by the House of Representatives that we express to Mr. Wiggin our appreciation of his devoted service, our

regret that he cannot be with us during the closing days of the 1961 session, and our good wishes for a speedy recovery, and be it further

Resolved, that the Clerk of the House send a copy of these Resolutions to Mr. Wiggin.

On a *viva voce* vote the resolutions were unanimously adopted. Mr. O'York of Dover offered the following resolutions:

Whereas, we have learned that our Fellow Member, Frank J. Grimes of Ward 2, Dover, because of illness will not be present with us for the remainder of this week, and

Whereas, Mr. Grimes, a valued and esteemed member of this body, has labored diligently and unceaselessly throughout this entire session of the General Court for the benefit of his city, county and state now therefore be it

Resolved, by the House of Representatives that we express to Mr. Grimes our appreciation of his devoted service, our regret that he cannot be with us during the closing days of the 1961 session, and our good wishes for a speedy recovery, and be it further

Resolved, that the Clerk of the House of Representatives send a copy of these Resolutions to Mr. Grimes.

On a *viva voce* vote the resolutions were unanimously adopted.

Reconsideration

Mr. Pillsbury of Manchester, having voted in the majority, moved that the House reconsider its vote whereby it adopted the committee of conference report on HB 63, relative to the seasons for taking deer, and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Senate Message

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 43, regulating small loans.

and the President has appointed as members of said Committee on the part of the Senate: Senator Dunlap and Senator Caron.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 43, regulating small loans.

Report of Engrossed Bills Committee

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 72, providing for the election of county commissioners for the county districts of Merrimack county. Ought to pass with amendment.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1 County Commissioners, Election. Amend RSA 64:1 (supp) as amended by 1955, 261:1, 1955, 317:1 and 1961, 59:1 by inserting after the word "Grafton" the word, Merrimack, so that said section as

Amend section 2 of said bill by striking out the first two lines and inserting in place thereof the following:

2 Commissioner Districts. Amend RSA 64 by inserting after section 1-c, (supp) as inserted by 1961, 59:2 the following new section: 64:1-d Merrimack

Amend section 3 of said bill by striking out the first four lines and inserting in place thereof the following:

3 Qualifications. Amend RSA 64:2 (supp) as amended by 1955, 261:3, 1955, 317:3 and 1961, 59:3 by inserting after the word "Grafton" the word, Merrimack, so that said section as amended shall read

Amend section 4 of said bill by striking out the first two lines and inserting in place thereof the following:

4 Commissioners. Amend RSA 64:12 (supp) as amended by 1955, 317:4 and 1961, 59:4 by inserting after the word "Grafton" the word, Merrimack

On motion of Mr. Hanson of Bow the House concurred in the amendments.

On motion of Mrs. Cross of Portsmouth the House adjourned from the morning session.

Afternoon Session

On motion of Mrs. Gagnon of Berlin the House adjourned at 9:28 P.M. to meet tomorrow morning at 11:00 o'clock.

FRIDAY, JUNE 30, 1961

The House met at 11:00 o'clock.

Joint Convention

Prayer was offered by the Chaplain, Reverend George Pennington, as follows:

"As many as are led by the Spirit of God, these are the Sons of God." (Romans 8:14)

In this communion of prayer, O God, we are joined. Neither our several circumstances, nor our activities, nor our varieties of belief can separate from one another those men and women who seek to give of themselves to that which is greater than themselves. We would be led by Thy Spirit, O God, that amid the particular concerns that capture our attention we may see the universal relationships that give unity and meaning to life. So lead us, Eternal Spirit, that our own lives may be harmonious parts in a pattern of living which shall be to all people a blessing, and an example to our children. Amen.

Pledge of Allegiance to the Flag

Mrs. Brown of Sandwich led the Convention in the Pledge of Allegiance to the Flag.

The Chair welcomed His Excellency, Wesley Powell, back to New Hampshire from the National Governors' Conference in Hawaii where he was honored by being elected Chairman.

Governor Powell presented the President of the Senate and the Speaker with Leis from Hawaii and addressed the House briefly.

On motion of Senator Eaton from the 10th District the Convention rose.

House

Leaves of Absence

Mr. Jones of Laconia was granted a leave of absence for the day on account of illness.

Messrs. Green of Rollinsford and Farwell of Brookline were granted leaves of absence for the day on account of important business.

The Speaker addressed the House briefly, expressing his appreciation of the efforts and cooperation of the members during the session, and voicing his hope that as many as possible would be returned to the session of 1963.

Senate Messages

The Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

SB 57, establishing an interim committee to study the question of extending the powers of the Maine-New Hampshire Interstate Bridge Authority.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 51, relating to the licensing of auctioneers.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 227, relative to the construction of a physical education building at the University of New Hampshire.

HB 488, relative to the salary of the Mayor of Dover.

HB 230, relative to liability for education of children in foster homes.

HB 225, relative to state guarantee of mortgages on industrial buildings.

HB 165, relative to expenditure of state appropriations.

HB 473, relative to the state council on aging.

HB 71, providing for a bounty on wolves.

HB 432, legalizing the annual town meeting held in the town of Exeter, March 14, 1961.

HB 471, relative to the salaries of the secretary and deputy secretary of state and the state treasurer and deputy state treasurer.

HB 290, to create a bank advisory board.

HB 468, relative to Souhegan River Watershed Project.

HB 203, relative to bounties for porcupines.

HB 484, authorizing the appointment of a consultant to the commissioner of safety.

Report of Committee on Engrossed Bills

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 178, to prohibit discrimination in places of public accommodation. Ought to pass with amendment.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Places of Public Accommodation. Amend RSA 354:1 by striking out said section and inserting in place thereof the following:

On motion of Mr. Totman of Alstead the House concurred in the amendment.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 430, relative to use of municipal bond proceeds. Ought to pass with amendment.

Amend the title of said bill by inserting at the end thereof the words,

and relative to primary election in the city of Manchester

On motion of Mr. Deans of Milford the House concurred in the amendment.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 143, extending the time when expenditures can be made from certain aeronautical appropriations. Ought to pass with amendment.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Time Extended. Amend 1957, 319:2, as amended by 1959, 73:1 by striking out the figure "1961" in the last line and inserting in place thereof the figure, 1963, so that said section as amended shall read as follows:

On motion of Mrs. Weeks of Greenland the House concurred in the amendment.

Mr. Bigelow of Warner offered the following concurrent resolution and moved its adoption.

Resolved, by the house of representatives, the senate concurring, That the general court be authorized to make its own contract in regard to printing which will allow the speaker of the house and the president of the senate to negotiate said contract, and to appoint whatever committees may be necessary to look into legislative printing.

On a *viva voce* vote the concurrent resolution was adopted.

Mr. Craig of Manchester offered the following resolution:

Resolved, That the Clerk be instructed to procure eight hundred copies of the prayers of the Chaplain, Rev. J. W. Pennington, for the 1959 and 1961 sessions in pamphlet form and distribute same to each member and attaché of the house and senate.

On a *viva voce* vote the resolution was adopted.

Mr. Karkavelas of Dover offered the following resolution:

Whereas, in the interest of economy it is desired to reduce the number of printed bound journals of the house and the session laws, therefore be it

Resolved, That all members and attachés desiring a bound journal of this session and a bound copy of the session laws file their requests with the Sergeant-at-Arms office by Alice Pinkham, and be it further

Resolved, That only those members and attachés who file such requests shall receive these bound volumes.

On a *viva voce* vote the resolutions were adopted.

On motion of Mr. Deans of Milford the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mrs. Thompson of Northfield for the Committee on Municipal and County Government, SB 157, to create the Littleton Parking District. Ought to pass.

Mr. Deans of Milford explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Oakes of Columbia the rules of the House were so far suspended as to permit third reading and final passage of SB 157 at the present time.

Third Reading

SB 157, to create the Little Parking District, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Frizzell of Charlestown the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mrs. Frizzell of Charlestown for the Committee on Judiciary, SB 136, relative to the study of Americanism in schools. Having considered the same, report the same with the recommendation that the bill be referred to the state board of education, together with the following resolution:

Whereas, There is a desirability for additional or increased emphasis by our educational system in studies directed toward educating the youth of our state in the virtues and advantages of our free society and the inherent damages to such a free society by anti-democratic philosophies, and

Whereas, Senate Bill 136 as amended is designed to accomplish an objective of that nature and should be implemented and directed by a decision of the state board of education after thoughtful consideration. Now therefore be it

Resolved, That the State Board of Education is hereby authorized and directed to plan a suitable course or courses to be taught in conjunction with civics and American history in the high schools and that in its discretion text books and other material be selected and approved by the state board of education for such purposes; Further be it

Resolved, That materials for additional studies in conjunction with this program be available to school districts by November 1962.

On a *viva voce* vote the recommendation of the committee was adopted.

Mrs. Davis of Concord offered the following resolutions:

Whereas, the members of the House of Representatives of the General Court of the state of New Hampshire have enjoyed the courtesies and privileges that have been generously provided by the Mayor of the City of Concord, therefore be it

Resolved, That we, the members of the House of Representatives, in General Court assembled, do hereby extend our heartfelt appreciation and gratitude to Mayor Charles P. Johnson and all the members of his official family for the considerate and generous manner with which they have exercised their municipal duties, and be it further

Resolved, That a copy of these resolutions be transmitted to Mayor Charles P. Johnson and the members of his official family.

On a *viva voce* vote the resolutions were unanimously adopted.

Mr. Maxham of Concord offered the following concurrent resolutions:

Whereas, this General Court has been efficiently served by Rev. George J. W. Pennington as chaplain, and

Whereas, he has offered prayers at the beginning of the daily sessions, therefore be it

Resolved, by the House of Representatives, the Senate concurring

That we express to him our gratitude and appreciation of his services and his understanding of our problems, his courtesy to guest chaplains, and for his supplications in our behalf that have caused us to search our souls and to act in a manner to give due consideration to the people we are here to represent.

On a *viva voce* vote the concurrent resolutions were unanimously adopted.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 482, to revise the charter of the city of Nashua.

Amend said bill by striking out sections 2 and 3 thereof and inserting in place therefor the following:

2 Periodic Revision of Charter. Amend Chapter 427, Laws of 1913, Part I by inserting after section 111 a new section as follows:

Sec. 111-a Charter Commission. A charter commission may be created by vote of the mayor and aldermen. Said commission shall consist of the mayor, three members of the board of aldermen of the city of Nashua, two to be appointed by the president of the board, and one to be chosen by the board of aldermen, three members of the Nashua delegation to the General Court to be appointed by the chairman of the delegation, and three residents of the city of Nashua, one of whom shall be appointed by the mayor, one by the president of the board of aldermen, and one by the chairman of the Nashua delegation to the General Court.

Each charter commission is hereby authorized to review and revise the charter of the city of Nashua and to submit its recommendations to the Nashua delegation to the General Court during the first legislative week of the regular session of the General Court next following the creation of the charter commission.

Each charter commission shall be discharged of its rights, responsibilities and functions at the same time that the Gen-

eral Court to which it submits its recommendations is pro-rogued.

All city departments and officials are hereby authorized and directed to cooperate with and assist each charter commission, said cooperation and assistance to include but not be limited to the production and use of documents and records related to their respective offices and departments.

The sum of five thousand dollars shall be appropriated from the general fund of the city of Nashua each time for use by each charter commission in its review and revision of the charter. Any and all funds not expended or marked for expenditure by a charter commission shall lapse and return to the general fund of the city of Nashua.

No member of a charter commission shall receive any compensation for his services on said commission.

3 Takes Effect. This act shall take effect January 1, 1962.

On motion of Mr. Underhill of Nashua reading of the amendment was dispensed with and Mr. Underhill explained the amendments.

On motion of Mr. Underhill of Nashua the House concurred in the Senate amendments.

Mr. Pillsbury of Manchester offered the following resolutions:

Whereas, Henry F. Goode of Ward 2, Manchester and Earl W. Chandler, of Bartlett, both Representatives to the General Court, have served as Co-Floor Leaders of the Majority Party, during this session, and

Whereas, both have given unstintingly of their time in the performance of their duties and have won the respect of the members for their unfailing courtesy and good humor with which they have met each problem as it came up, therefore be it

Resolved, that this House of Representatives in General Court convened, do hereby extend our thanks to both these Majority Floor Leaders for their fairness and tireless energy with which they have carried out their respective tasks, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mr. Goode and Mr. Chandler.

On a *viva voce* vote the resolutions were unanimously adopted.

Introduction of a House Joint Resolution

HJR 46, providing for a study of the criminal laws of the state, was read a first and second time and referred to the committee on Judiciary.

On motion of Miss Bailey of Newport, reference to committee was dispensed with and HJR 46 was ordered to a third reading at the present time.

The Clerk read the resolution in full.

Mr. King of Manchester explained the resolution.

Third Reading

HJR 46, providing for a study of the criminal laws of the state, was read a third time, passed, and sent to the Senate for concurrence.

The Chair announced that next Monday, July 3rd, is the 43rd wedding anniversary of Mr. and Mrs. Joseph Ecker of Manchester.

Senate Message

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 209, to clarify and make more uniform the laws relating to banking and to make certain technical amendments thereto.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

SB 72, providing for the election of county commissioners for the county districts of Merrimack county.

Recess

After Recess

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 419, relative to the salaries of registers and deputy registers of Probate.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Salaries of Deputy Registers of Probate. Amend RSA 548:19 (supp) as amended by Laws 1957, 44:1, 279:1 by striking out said section and inserting in place thereof the following: 548:19 Salaries. The annual salaries of the deputy registers of probate in the several counties shall be paid by the state and shall be as follows:

	Minimum	Maximum
For Rockingham county	\$3,777	\$4,257
For Strafford county	3,472.50	3,952.50
For Belknap county	2,769	3,249
For Carroll county	2,769	3,249
For Merrimack county	3,777	4,257
For Hillsborough county	4,029	4,509
For Cheshire county	2,769	3,249
For Sullivan county	2,769	3,249
For Grafton county	3,472.50	3,952.50
For Coos county	2,769	3,249

On motion of Mr. Goode of Manchester the House concurred in the Senate amendments.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives.

HB 468, relative to Souhegan River Watershed Project.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relative to jointly sponsored soil conservation districts projects.

On motion of Mr. Goode of Manchester the House concurred in the Senate amendment.

Engrossed Bills Report

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HJR 45, relative to temporary and seasonal employees. Ought to pass with amendment.

Amend the caption of the Joint Resolution by striking out the same and inserting in place thereof the following:

Joint Resolution relative to temporary and seasonal employees and providing salary increases for certain state officials.

Further amend the Joint Resolution by striking out in the fifth line the words "department appropriation" and inserting in place thereof the following words, departmental appropriation involved.

On motion of Mr. Goode of Manchester the House concurred in the Engrossed Bills amendment.

Senate Message

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

SB 143, extending the time when expenditures can be made from certain aeronautical appropriations.

HB 178, to prohibit discrimination in places of public accommodations.

HB 430, relative to use of municipal bond proceeds and relative to primary election in the city of Manchester.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 480, relating to the election of representatives to the general court.

HB 70, providing for the training of fire fighters.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 353, relative to the election of the members of the Union School District in Concord.

Amend section 5 of said bill by striking out the words "and election" in the fourth line and inserting in place thereof the words, said declaration

Amend section 6 of said bill by inserting at the end thereof the words, The district treasurer may be a regular employee of the district, but the clerk may not be an employee of the district

On motion of Mrs. Davis of Concord the House concurred in the Engrossed Bills amendments.

Messrs. Chandler of Bartlett and Goode of Manchester offered the following resolutions:

Whereas, John W. King, Representative from Ward 10, Manchester, has had the distinction of serving as Minority Floor Leader of the 1961 session of the House of Representatives, and

Whereas, Mr. King has shown kindness and consideration to all members, regardless of their party affiliation, in the daily performance of his duties,

Resolved, that, we, the members of the 1961 House of Representatives in General Court assembled, do hereby extend our heartiest appreciation for his courtesy and for his wisdom in the deliberations of this body, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mr. King.

Mr. Daniell of Franklin moved that the resolutions relative to Mr. King of Manchester be amended to read as follows:

Whereas, John W. King, Representative from Ward 10, Manchester, has had the distinction of serving as Minority Floor Leader of the 1961 session of the House of Representatives, and

Whereas, Mr. King has shown kindness and consideration to all members, regardless of their party affiliation, in the daily performance of his duties, and

Whereas, his services as Minority Leader have been outstanding, his devotion to duty constant, and he has ever personified the high character and the best traditions of American Democratic procedure, therefore be it

Resolved, that we, the members of the 1961 House of Representatives in General Court assembled, do hereby extend our heartiest appreciation for his courtesy and for his wisdom in the deliberations of this body, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mr. King.

On a *viva voce* vote the amendment was adopted.

On a *viva voce* vote the resolutions as amended were adopted.

Report of Committee on Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following House and Senate Bills and Senate Joint Resolution:

SB 140, relative to trespassing on uncultivated land.

SB 158, relative to the military staff of the Governor.

SB 119, relative to medical assistance to the aged.

SJR 12, to pay certain judgments against the state of New Hampshire.

HB 203, relative to bounties for porcupines.

SB 150, relative to the financing of the Lebanon Regional Airport and the contributions towards financing the same.

SB 72, providing for the election of county commissioners for the county districts of Merrimack County.

HB 346, establishing a department of resources and economic development, merging therein planning and development, forestry, recreation and transferring thereto for limited purposes the water resources board and the New Hampshire state Port Authority.

Mr. Geisel of Manchester offered the following concurrent resolutions:

Whereas, there are qualified New Hampshire applicants for nearly all positions in state service, and

Whereas, this is especially true in the case of the vacancy in the office of superintendent of the industrial school, now therefore be it

Resolved, by the House of Representatives, the Senate concurring:

That it is regrettable that the Board of Trustees of the Industrial School take the position that no New Hampshire resident is qualified for the position of superintendent of the industrial school, and be it further

Resolved, that a copy of this Resolution be sent to each member of the Board of Trustees of the Industrial School.

Messrs. Geisel, Mahoney and Linehan of Manchester spoke in favor of the resolution.

Messrs. Hart of Manchester and Daniels of Franklin spoke against the resolutions.

Mr. Deans of Milford moved that the concurrent resolutions be referred to the committee on Public Welfare and State Institutions.

On a *viva voce* vote the motion was adopted.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 297, An Act relative to school buses, having considered the same, report the same with the following recommendations:

That the Senate recede from its position in adopting its amendment; That the House recede from its position of non-concurrence, and That the House and Senate adopt the following amendment:

Amend said bill by striking out section 7 and inserting in place thereof the following:

7 School Buses. Amend RSA 263 by inserting after section 38 the following new section:

263:38-a Operation of School Buses. When taking on or discharging school children, the school bus shall be stopped on the extreme right of the highway. Wherever possible, a school bus may be stopped completely off the highway if facilities and stopping areas are available. The operator of a school bus in bringing his bus to a stop to receive or discharge pupils, shall come to a stop in a place on the highway or shoulder where the flashing red warning stop lights are clearly visible to the driver of an overtaking or oncoming vehicle. The school bus operator shall not open the door or cause the flashing red warning stop lights to be in operation until all motor vehicles overtaking said bus at the time it comes to a halt shall have either passed the bus or have stopped. Common sense and good judgment should be used in all cases when the flashing red warning stop lights are to be in operation. If the operator of a school bus intends to remain stationary in any position for an extended period of time, he shall see that the flashing red warning stop lights are switched off so that traffic may proceed safely and legally by the school bus.

Mr. Claflin of Wolfeboro

Mr. Urie of New Hampton

Mr. McGee of Lincoln

Conferees on the Part of the House

Senator Buckley

Senator Bergeron

Conferees on the Part of the Senate

On a *viva voce* vote the conference report was adopted.

Report of Committee on Engrossed Bills

Mr. Burrill of Littleton for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 108, relative to the town of Hampton Municipal Development Authority.

HB 199, relative to the salaries of mayor and councilman of the city of Franklin.

HB 241, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of the city of Claremont and their dependents.

HB 393, relative to assessments by insurance firms.

HB 75, providing a retirement system for employees of the city of Berlin.

SB 33, relating to fraternal benefit societies.

SB 154, legalizing the proceedings of the annual school district meeting of Kensington, held March 11, 1961 and adjourned to May 20, 1961 and authorizing a bond issue accordingly.

SB 53, to correct the reference in the statutes to the state department of health laboratory.

SB 128, relating to fire prevention in nursing homes.

HB 71, providing for a bounty on wolves.

Engrossed Bills Report

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 123, to impose an operating fee on aircraft. Ought to pass with amendment.

Amend section 2 of said bill by striking out the first six lines and inserting in place thereof the following:

2 Fees. Amend RSA 422:37 by inserting at the end thereof the following new paragraph: XII. For each aircraft for which a state registration certificate is required by sections 24 to 33, paragraph VIII of this section and paragraph IV of section 38. The

Amend section 5 of said bill by striking out the first line and inserting in place thereof the following:

5 Credits. Amend RSA 422 by inserting after section 38 the following new section: 422:38-a Transfer. The owner of any aircraft for which the aircraft operating fee has been

Amend section 7 by striking out the words "this fee" and inserting in place thereof the words, the aircraft operating fee.

On motion of Mr. Clement of Rochester the House concurred in the amendments.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 395, An act relative to free registration number plates for emergency vehicles, having considered the same, report the same, with the following recommendations:

That the House recede from its position of non-concurrence, and adopt the amendment of the Senate.

Mr. Claffin of Wolfeboro

Mr. Bradley of Thornton

Mr. McGee of Lincoln

Conferees on the Part of the House

Senator Buckley

Senator English

Conferees on the Part of the Senate

On a *viva voce* vote the committee of conference report was adopted.

Senate Message

A Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 483, making appropriations for capital improvements, long term repairs and deferred maintenance for the State of New Hampshire.

Amend paragraph 1 of section 1 of the bill by striking out the words "two million nine hundred forty five thousand nine hundred twenty-seven dollars" and inserting in place thereof the words, two million nine hundred forty-nine thousand nine hundred twenty-seven dollars, so that said paragraph as amended shall read as follows:

1 Appropriation. The sum of two million nine hundred forty-nine thousand nine hundred twenty-seven dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same. The estimated costs for the projects are as follows:

Further amend section 1, in the paragraph I. Administration and control: by inserting after the words and figures, Supreme court room-rug 6,500.00 the following item: Legislature — senate, maintenance, repairs and furnishings of senate chamber and offices 5,000.00*. Further amend said paragraph I by striking out the words and figures “Total \$17,500.00” and inserting in place thereof, Total \$22,500.00. Further amend said paragraph by inserting at the end thereof the following footnote:

*This amount shall be expended only under the direction of the president of the senate and the chairman of the senate finance committee.

Further amend section 1 of the bill, in the paragraph VI. Soldiers home: by inserting after the figure 10,000.00, the following item: Painting of buildings 5,000.00. Further amend by inserting at the end of said paragraph VI. the words and figures, Total 15,000.00.

Further amend section 1 of the bill, in the paragraph VII. State hospital: by striking out said paragraph and inserting in place thereof the following:

Construction of duplex residence	\$50,000.00	
Howard auditorium — stairways and library	20,000.00	
750 K. W. generator*	170,000.00	
Laundry equipment	45,000.00	
Total		285,000.00

*Four thousand dollars (\$4,000.00) of this amount is for the purpose of a study and the amount of \$166,000.00 shall not be spent until recommended as a result of said study.

Further amend said bill by striking out at the end of section 1, the figure “2,945,927.00” and inserting in place thereof, \$2,949,947.00.

Further amend said bill, in section 2 by striking out the words “The sum of three hundred seventy-one thousand eight hundred dollars” and inserting in place thereof the words, The sum of four hundred nine thousand eight hundred dollars.

Further amend said bill in section 2, by inserting after the figure 8,600.00*, the following item:

Chandler's Cove project 38,000.00.

Further amend section 2, by striking out at the end thereof, the words and figures, "Total 371,800.00" and inserting in place thereof, Total 409,800.00.

So that section 2 as amended shall read as follows:

2 Recreational. The sum of four hundred nine thousand eight hundred dollars is hereby appropriated for the recreational division, as follows:

Additions to shelter building — Suna-	
pee state park	\$204,000.00
T-bar type ski lift — Cannon mountain	53,000.00
Fire protection system at tramway —	
Cannon mountain	51,000.00
Addition to Peabody slope building —	
Franconia	55,200.00
Engineering services — transfer	8,600.00*
Chandler's Cove project	38,000.00
	<hr/>
Total	409,800.00

*This amount shall be transferred to the public works division for preliminary engineering, inspection and overhead.

Further amend said bill, in section 4 by striking out said section and inserting in place thereof the following:

4 Department of Education. The sum of one million four hundred thirty one thousand forty-four dollars is hereby appropriated for the department of education as follows:

Dormitory for married students —	
Keene teachers college	\$395,395.00
Purchase of land	60,000.00
	<hr/>
	455,395.00
Dormitory for women — Plymouth	
teachers college	975,649.00
	<hr/>
Total	1,431,044.00*

*Of this amount \$36,044.00 shall be transferred to the public works division for preliminary engineering, inspection and overhead.

Further amend said bill in section 6 by inserting after the words, Mary Lyon hall and Rounds hall 44,200., the following new item: Rip rap at Great Boar's Head \$50,000.00.

Further amend said bill, in section 6, by striking out at the end thereof, the words and figures, "Total 254,660.00" and inserting in place thereof, Total for deferred maintenance 304,660.00. Further amend said section 6 by striking out the final paragraph, reading "The governor is authorized to draw his warrants for the sums hereby appropriated for deferred maintenance out of any money in the treasury not otherwise appropriated. Any balance of the appropriations made herein shall not lapse until June 30, 1964"

Further amend said bill in section 7 by adding a new paragraph IV.

IV. To transfer funds from any project named in section 1 hereof to any other project in said section only in the event of an unforeseen emergency need.

Amend said bill in section 10, by striking out the words and figures, "two million nine hundred forty-five thousand nine hundred twenty-seven dollars (\$2,945,927)" and inserting in place thereof, two million nine hundred forty-nine thousand nine hundred twenty-seven dollars (\$2,949,927). By striking out the words and figures, "three hundred seventy-one thousand eight hundred dollars (\$371,800);" and inserting in place thereof, four hundred nine thousand eight hundred dollars (\$409,800.); By striking out the words and figures "one million three hundred seventy one thousand forty four dollars (\$1,371,044.)" and inserting in place thereof, one million four hundred thirty-one thousand forty four dollars (\$1,431,044.); By inserting after the figure "(\$1,690,500)" the following; to provide funds for the appropriation made in section 6 hereof not exceeding the sum of three hundred four thousand six hundred sixty dollars (\$304,660.) so that said section 10 as amended shall read as follows:

10 Borrowing Power. To provide funds for the appropriation made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of two million nine hundred forty-nine thousand nine hundred twenty-seven dollars (\$2,949,927); to provide funds for the

appropriations made in section 2 hereof not exceeding the sum of four hundred nine thousand eight hundred dollars (\$409,800.); to provide funds for the appropriation made in section 3 hereof not exceeding the sum of ten thousand two hundred seventy dollars (\$10,270); to provide funds for the appropriations made in section 4 hereof not exceeding the sum of one million four hundred thirty-one thousand forty-four dollars (\$1,431,044.); to provide funds for the appropriation made in section 5 hereof not exceeding the sum of one million six hundred ninety thousand five hundred dollars (\$1,690,500.); and to provide funds for the appropriations made in section 6 hereof not exceeding the sum of three hundred four thousand six hundred sixty dollars (\$304,660.); and for said purposes may issue bonds and notes in the name and on behalf of the State of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Further amend said bill in section 14, by striking out the words “(1) not exceeding the sum of two million nine hundred forty-five thousand nine hundred twenty-seven dollars,” and inserting in place thereof, two million nine hundred forty nine thousand nine hundred twenty-seven dollars; by striking out the words “(2) not exceeding the sum of three hundred seventy-one thousand eight hundred dollars” and inserting in place thereof, (2) not exceeding the sum of four hundred nine thousand eight hundred dollars; by striking out “(4) not exceeding the sum of one million three hundred seventy-one thousand forty-four dollars” and inserting in place thereof, (4) not exceeding the sum of one million four hundred thirty-one thousand forty-four dollars; and by inserting after the figure 5 at the end of the section the following words and figures, ; and (6) not exceeding the sum of three hundred four thousand six hundred sixty dollars for borrowing to provide funds for the purpose of section 6; so that said section 14 as amended shall read as follows:

14 Short Term Notes. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be

refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no time shall the indebtedness of the state on short term loans exceed the following sums: (1) not exceeding the sum of two million nine hundred forty-nine thousand nine hundred twenty-seven dollars for borrowing to provide funds for the purposes of section 1; (2) not exceeding the sum of four hundred nine thousand eight hundred dollars for borrowing to provide funds for the purposes of section 2; (3) not exceeding the sum of ten thousand two hundred seventy dollars for borrowing to provide funds for the purpose of section 3; (4) not exceeding the sum of one million four hundred thirty-one thousand forty-four dollars for borrowing to provide funds for the purposes of section 4; (5) not exceeding the sum of one million six hundred ninety thousand five hundred dollars for borrowing for the purpose of section 5; and (6) not exceeding the sum of three hundred four thousand six hundred sixty dollars for borrowing to provide funds for the purpose of section 6.

Amend the bill by inserting after section 18 the following new section:

19. Appropriation. The sum of \$127,588.59, being the same amount as the unexpended balance of the funds appropriated by Laws of 1955, chapter 212, is hereby appropriated to the University of New Hampshire for the purpose of making final payments on the completed construction, furnishing and equipping of the new library building at the university and for the remodeling of the former library building for instructional purposes.

Construction of Statute. The appropriation made under the provisions of section 1 shall be a charge upon the bonds authorized and issued by 1955, 212.

Further amend the bill by renumbering section 19 to read 20.

On motion of Mr. Clement of Rochester reading of the amendment was dispensed with.

Mr. Clement of Rochester moved that the House non-concur in the amendments and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Karkavelas of Dover, Goode of

Manchester, Shepard of Londonderry, King of Manchester and Belcourt of Nashua as conferees on the part of the House.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following bill with amendments, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 14, relative to manufacturers and wholesalers permits.

Amend by striking out section 1 of the bill and inserting in place thereof the following section:

1 Wholesaler's Permit. Amend RSA 181:9 by inserting at the end thereof the following: "and to reconstitute for the purposes of this section concentrated beverages under such rules and regulations as may be promulgated by the Liquor Commission to provide for the collection of taxes on beverages as provided by this chapter" so that said section as amended shall read as follows:

RSA 181:9 Wholesaler's Permit. Wholesaler's permits shall authorize the permittee to sell beverages in barrels, bottles, or other closed containers to other permittees for resale only, and to reconstitute for the purposes of this section concentrated beverages under such rules and regulations as may be promulgated by the Liquor Commission to provide for the collection of taxes on beverages as provided by this chapter.

2 Amend RSA 181:8 by inserting at the end thereof the following: "Provided, however, that the manufacture of beverages authorized by this section shall not include the reconstitution of concentrated beverages," so that said section as amended shall read as follows: RSA 181:8 Manufacturer's Permits. Manufacturer's permits shall authorize the permittee to manufacture beverages and to sell the same in barrels, bottles, or other closed containers to other permittees for resale only, and to transport the same to the state boundary. Provided, however, that the manufacture of beverages authorized by this section shall not include the reconstitution of concentrated beverages.

Further amend the bill by renumbering section 2 to read section 3.

Further amend the title of the bill by striking out the same and inserting in place thereof the following: An Act relative to manufacturers and wholesalers permit.

On motion of Mr. Underhill of Nashua reading of the amendment was dispensed with.

Mr. Underhill explained the amendments and moved that the House concur.

Mr. King of Manchester moved that the House non-concur in the Senate amendments and that a committee of conference be appointed and spoke in favor of the motion.

Mr. Nickerson of Goffstown spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion was adopted and the the Chair appointed Messrs. Underhill of Nashua, Nickerson of Goffstown and King of Manchester as conferees on the part of the House.

Committee of Conference Report

The Committee of Conference to whom was referred Senate Bill No. 107, An Act relative to salaries of legislative attachés, having considered the same, report the same with the following recommendations:

1. That the Senate recede from its position of non-concurrence in the amendment to Section 2 of said bill, that the House recede from its position in adopting its amendment to said section and the House and Senate concur in the adoption of the following amendment:

2. Compensation. Amend RSA 14:24 (supp) as amended by 1957, by striking out the same and inserting in place thereof the following: 14:24 House Attachés. The compensation of the following attachés of the house of representatives shall be, sergeant-at-arms, \$15; custodian of mails and supplies for the house, \$12.50 a day; messengers, assistant messengers, telephone messengers, library messengers, door-keepers, assistant warden, and pages, \$9 a day, chaplain \$10. a day, warden of the coatroom, \$11. a day; each for six days a week.

II. That the House and Senate concur in the adoption of the following amendment to Section 3 of said bill:

3 Compensation. Amend RSA 14 by inserting the following new section after section 24 thereof, 14:24-a Senate Attachés. The compensation of the following attachés of the senate shall be, sergeant-at-arms, \$12.50 a day; the senate messenger who acts as custodian of mails and supplies, \$10. a day, the senate doorkeeper who also acts as warden of the cloak room, \$11. a day; messengers, assistant messengers, library messengers, doorkeepers, wardens and assistant wardens, pages and chaplain, \$9. a day; each for six days a week.

III. That the Senate recede from its position of non-concurrence with the amendment adopted by the House for Section 4 of said bill and concur with the House in the adoption of said amendment.

IV. That the House and Senate concur in the adoption of the following amendment to Section 5 of said bill. Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5 Senate Assistants. Amend RSA 14 by inserting the following new section after section 25 thereof: 14:25-a Senate Legislative Service Assistants. The compensation of the legislative assistants of the senate shall be as follows: For the chief assistant thirteen dollars a day, provided for every five regular sessions of service, an additional one dollar a day shall be added until a maximum of fifteen dollars a day; for other assistants ten dollars and fifty cents a day for the first session of service, and fifty cents a day additional for each succeeding session of service until a maximum of twelve dollars and fifty cents a day, provided, that for every five regular sessions of service an additional one dollar a day shall be added until a maximum of fourteen dollars and fifty cents a day; each for six days a week.

V. That the Senate recede from its position of non-concurrence in the addition of Sections 6, 7 and 8 to the bill and concur with the House in the adoption of said amendments.

VI. That the Senate and House concur in the adoption of the following amendment.

9 Senate Counsel: The senate counsel, who acts as the senate assistant clerk, shall receive a salary of \$230.77 per week. Said counsel shall be employed beginning the first Monday following the biennial election day of 1962 as said counsel to

assist the senators-elect prior to the 1963 session of the general court. His salary for said period shall be \$230.77 each week.

Charles H. Cheney
Marye Walsh Caron
Conferees on the part of the Senate

Paul G. Karkavelas
Henry F. Goode
John W. King
Conferees on the part of the House

On a *viva voce* vote the committee of conference report was adopted.

Senate Message

A Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

SB 107, relative to salaries of legislative attachés.

A further Senate message announced that the Senate has adopted the following concurrent resolution, in the adoption of which it asks the concurrence of the House of Representatives:

Be it resolved by the Senate, the House of Representatives concurring;

That the president of the Senate and the speaker of the House, relative to the members of their respective bodies may during the interim while the General Court is not in session in the same manner and with the same force and effect as if the General Court was in session, for any legislative purpose accept resignations of any member, fill vacancies in any committee, call upon and convene any committee for consultation, investigation or advice, employ all clerical or professional assistance necessary to assist or advise him or them, make use of and take over any rooms or facilities in the State House.

Mr. Clement of Rochester offered the following amendment and moved its adoption.

That the speaker of the house and the president of the senate be authorized to call together any committee of the house during the interim period between sessions, and to appoint any special committee during said interim to study any matter which the speaker or the president of the senate may

deem necessary with the objective to expedite the 1963 session of the legislature; and to authorize the speaker to accept resignations during the interim period from the members of the house and the president of the senate to be empowered to accept resignations from the members of the senate.

On a *viva voce* vote the amendment was adopted and the concurrent resolution was adopted as amended.

Mileage Report

Mr. McAllister of Barnstead, for the Committee on Mileage, presented the following report:

ROCKINGHAM COUNTY

Town	Miles
Atkinson	
George W. White, Sr.	44
Auburn	
Margaret A. Griffin	26
Brentwood	
Mary T. Vey	41
Candia	
Karl J. Persson	25
Chester	
Victor B. Spollett	32
Danville	
George H. Deming	41
Deerfield	
Walter B. Scott	23
Derry (4)	
Charles H. Gay	34
Hayford T. Kimball	32
John L. Scott	32
James H. White	32
East Kingston	
Guy E. Nickerson	44
Epping	
John D. Hackett	36
Exeter (4)	
Lyman E. Collishaw	45
Edwin W. Eastman	45

James A. Purington	45
James A. Tufts, Jr.	46
Fremont	
William B. Wylie	36
Greenland	
Edna B. Weeks	53
Hampstead	
Doris M. Spollett	40
Hampton (2)	
Herbert A. Casassa	53
Douglass E. Hunter, Sr.	53
Kingston	
Ernest D. Clark	42
Londonderry	
Howell F. Shepard	29
New Castle	
T. Wade Jenkins	51
Newington	
Gordon D. Hislop	43
Newmarket (2)	
F. Albert Sewall	40
John Twardus	40
Newton	
George L. Cheney	47
North Hampton	
George G. Carter	50
Northwood	
Ernest L. Pinkham	23
Nottingham	
Arthur W. McDaniel	29
Plaistow	
Mildred L. Palmer	46
Portsmouth	
Ward 1 (2)	
Timothy J. Driscoll	51
William F. Keefe	51

Ward 2 (3)	
Raimond Bowles	48
Henry S. Murch, Jr.	50
Ernest E. Stafford	48
Ward 3 (2)	
C. Cecil Dame	52
Clayton E. Osborn	50
Ward 4 (2)	
Melvin H. Chandler	48
Julia H. White	50
Ward 5 (2)	
Edward J. Ingraham	48
Edna K. White	48
Ward 6 (2)	
Charles W. Carkin	47
Amelia H. Cross	48
Raymond	
Calvin J. Langford	31
Rye	
Elizabeth A. Greene	56
Salem (3)	
William A. Magoon	43
Leonard B. Peever	43
Marjorie L. Roulston	43
Seabrook	
Myron B. Felch	52
Stratham	
Nelson E. Barker	47
Windham	
Thomas Waterhouse, Jr.	36

STRAFFORD COUNTY

Barrington	
Dorothy B. Berry	32

Dover

Ward 1 (3)	
Alice F. Blanchette	41
Max W. Leighton	41
Guy M. Wiggin	41

Ward 2 (2)

Frank J. Grimes	40
Patrick N. H. O'York	40

Ward 3 (2)

Carroll E. Fellows	40
Philip T. Stonemetz	40

Ward 4 (3)

William E. Colbath	40
Paul G. Karkavelas	40
Harriett W. B. Richardson	41

Ward 5 (1)

Emmet J. Flanagan	40
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Durham (3)

Laurence A. Bevan	36
L. Franklin Heald	36
Albert D. Littlehale	36

Farmington (2)

Robert B. Drew	43
George T. Gilman	45

Lee

Shirley M. Clark	37
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Madbury

Eloi A. Adams	38
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Milton

Warren H. Reid	53
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Rochester

Ward 1 (1)	
Ernest L. Rolfe	46

Ward 2 (2)

Maurice E. Marsan	42
Fred Maxfield	43

Ward 3 (1)	
Sumner W. Watson	41
Ward 4 (2)	
George J. Potvin	43
Angeline M. St. Pierre	43
Ward 5 (1)	
Harry S. Johnson	43
Ward 6 (2)	
Arnold T. Clement	43
Edgar G. Varney	43
Rollinsford	
Fred L. Green	44
Somersworth	
Ward 1 (1)	
Sarkis N. Maloomian	45
Ward 2 (1)	
Napoleon A. Habel	45
Ward 3 (1)	
Clovis J. Cormier	45
Ward 4 (1)	
Arthur J. Vincent	45
Ward 5 (1)	
Leon J. Littlefield	45
Strafford	
Eugene H. Wyatt	

BELKNAP COUNTY

Alton	
Arthur S. Rollins	40
Barnstead	
Arthur H. McAllister	23
Belmont	
Lyle N. Watson	22
Center Harbor	
L. Keith Matheson	43

Gilford	
Marion M. Lord	34
Gilmanton	
William T. Robertson	29
Laconia	
Ward 1 (2)	
Rene C. Lacaillade	35
Walter D. McCarthy	35
Ward 2 (2)	
Walter A. Harkins	30
Paul L. Normandin	30
Ward 3 (1)	
Ellis J. Ayre	29
Ward 4 (2)	
Oscar C. Prescott	29
Frederick B. Stothart	29
Ward 5 (2)	
Lucien R. Dulac	30
David O'Shan	29
Ward 6 (2)	
Charles K. Jones	32
Donald W. MacIsaac	32
Meredith (2)	
Stuart B. Allan	42
Joseph F. Smith	38
New Hampton	
H. Thomas Urie	37
Sanbornton	
Olin A. Joslyn	26
Tilton	
Herbert E. Howe	21

CARROLL COUNTY

Bartlett	
Earle W. Chandler	91

Conway (3)	
Esther M. Davis	81
Carroll A. Hill	83
Milburn F. Roberts	83
Effingham	
John G. Thompson	67
Moultonborough	
Stewart Lamprey	48
Ossipee	
John H. Taylor	67
Sandwich	
Mary S. Brown	54
Tamworth	
George R. Nickerson	63
Tuftonboro	
J. Edward Kurth	57
Wakefield	
Arthur H. Fox	55
Wolfeboro (2)	
Leslie M. Chamberlain	46
Russell G. Claflin	46

MERRIMACK COUNTY

Allenstown	
Narcisse V. Guilbeault	10
Andover	
Victor E. Phelps	23
Boscawen	
George D. Kenevel	15
Bow	
Richard D. Hanson	10
Bradford	
Reuben S. Moore	28
Canterbury	
William D. Asby	15

Chichester	
John B. Hutchinson	11
Concord	
Ward 1 (2)	
John M. Allen	10
Edward H. York	10
Ward 2 (1)	
Alice Davis	10
Ward 3 (1)	
Arthur F. Henry	10
Ward 4 (3)	
Alfred J. Audet	10
Harold C. Gibson	10
Stuart Hancock	10
Ward 5 (2)	
James C. Bingham	10
John B. Seamans	10
Ward 6 (4)	
George W. Lovejoy	10
Herbert Quinn	10
*Ernest W. Saltmarsh	
F. Elwood Peaslee	10
Horace W. Sanders	10
Ward 7. (4)	
Harold L. Barnard	10
William P. Gove	10
Paul B. Maxham	10
Nery C. Newell	10
Ward 8 (1)	
Donald J. Welch	10
Ward 9 (2)	
Thomas B. Jennings	10
Pasquale V. Rufo	
Danbury	
Andrew R. Brown	33
Dunbarton	
John W. McKay	10

Epsom	
Henry L. Stevens	13
Franklin	
Ward 1 (1)	
Leslie N. Boomhower	21
Ward 2 (2)	
Eugene S. Daniell, Jr.	21
Wiggin S. Gilman	21
Ward 3 (2)	
Peter P. Charland	21
John P. Dempsey	21
Henniker	
Lewis H. Carpenter	18
Hooksett (2)	
Rutger Broek	17
John B. Mulaire	17
Hopkinton	
William L. Newell	10
Loudon	
George B. Brown	15
New London	
M. Roy London	36
Northfield	
Doris L. Thompson	19
Pembroke (2)	
Robert E. Plourde	10
George D. Thibeault	10
Pittsfield (2)	
Ralph W. Brewster	16
Harriet B. Tarrant	19
Sutton	
Edwin H. Keith	35
Warner	
L. Waldo Bigelow, Jr.	24

HILLSBOROUGH COUNTY

Amherst	
Orson H. Bragdon	32
Antrim	
Ellerton H. Edwards	32
Bedford	
Ralph M. Wiggin, Sr.	23
Bennington	
Theodore Aucella	35
Brookline	
Grover C. Farwell	42
Goffstown (4)	
F. Arthur Bartlett	20
A. Kenneth Hambleton	20
Rufus L. Jennings	20
Elmer B. Nickerson	20
Greenville	
Alexander M. Taft	48
Hancock	
Julius Q. Pickering	40
Hillsborough	
Joseph M. Eaton	25
Hollis	
Daniel Brocklebank	45
Hudson (3)	
Thomas J. Claveau	39
Christopher F. Gallagher	39
George J. Provencal	39
Lyndeborough	
Edward G. Warren	47
Manchester	
Ward 1 (4)	
Greta M. Ainley	19
George A. Lang	19
James Pettigrew	19
Emile J. Soucy	19

Ward 2 (5)	
Edward I. Carmen	19
Joseph H. Geisel	19
Henry F. Goode	19
James L. Mahony	19
John Pillsbury	19
Ward 3 (4)	
George A. Bruton	20
Nick Hart	19
James F. Hayes	21
Louis I. Martel	19
Ward 4 (3)	
Walter J. Burke	20
William J. Cullity	20
Thomas F. Nolan	20
Ward 5 (5)	
Stanley J. Betley	20
Herbert Linehan	22
Thomas E. Manning	21
Joseph J. Szelog	22
Edward J. Walsh	22
Ward 6 (6)	
Denis F. Casey	22
Edward D. Clancy	21
Claude E. Dupont	22
Joseph F. Ecker	22
Daniel J. Healy	22
Michael F. O'Connor	22
Ward 7 (4)	
Edward T. LaFrance	21
Charles J. Leclerc	21
*Francis P. Plante	21
Alonzo J. Tessier	21
Ward 8 (5)	
Joseph T. Compagna	21
William A. Cote	21
William H. Craig, Jr.	21
Eugene Delisle, Sr.	21
Edward C. Healy	22

Ward 9 (2)	
Beatrice B. Cary	20
Edward W. Morris	22
Ward 10 (4)	
Gerard H. Belanger	21
Alfred A. Bergeron	21
John J. Kearns	21
John W. King	21
Ward 11 (3)	
George J. Hurley	21
Maurice H. Noel	21
John M. Roche	21
Ward 12 (4)	
Alfred J. Dumas	21
Joseph Lemay	21
Alphonse Levasseur	22
Joseph C. Nalette	21
Ward 13 (5)	
Edmond Allard	21
Rolland Chapdelaine	21
Charles E. Daniel	21
Origene E. Lesmerises	21
Hector J. Rousseau	21
Ward 14 (3)	
Roger J. Crowley, Sr.	22
Willibert Gamache	22
Marcel A. Vachon	22
Merrimack	
Edward J. Haseltine	33
Milford (3)	
David Deans, Jr.	36
William M. Falconer	35
Charles P. Hayward	36
Mont Vernon	
William B. Buckley	35
Nashua	
Ward 1 (4)	
Martha Cole	37
Mabel T. Cooper	37

James R. Milliken	37
George W. Underhill	38
Ward 2 (2)	
George A. Dionne	37
Theodore W. Rosedoff	37
Ward 3 (2)	
Agenor Belcourt	39
Paul Kirkorian	39
Ward 4 (2)	
Cornelius M. Brosnahan	39
Frank J. Sullivan	39
Ward 5 (2)	
Albert Maynard	39
George S. Pappagianis	39
Ward 6 (2)	
John B. Dionne	39
Ernest Marcoux	39
Ward 7 (3)	
Ralph Boisvert	40
Arthur Chartrain	39
Samuel L. Mason	40
Ward 8 (5)	
Oscar P. Bissonnette	39
Arthur Bouley	39
Alfred Grandmaison	40
William O. Lavallee	39
Frank C. Sablusk	39
Ward 9 (2)	
Paul E. Bouthillier	39
*Joseph E. Houde	39
New Boston	
Edward F. Locke	25
New Ipswich	
Theodore H. Karnis	53
Pelham	
Arthur H. Peabody	40

Peterborough (2)	
Walter R. Peterson, Jr.	48
Benjamin M. Rice	48
Temple	
*Herbert A. Willard	50
Weare	
Scott F. Eastman	20
Wilton	
George G. Draper, Sr.	41

CHESHIRE COUNTY

Alstead	
Ralph W. Totman	62
Chesterfield	
James E. O'Neil	66
Dublin	
Belle F. Gowing	56
Fitzwilliam	
William J. Watkinson	68
Gilsum	
Arthur F. Turner	55
Harrisville	
John N. Clark	55
Hinsdale	
Clifford D. Stearns	73
Jaffrey (2)	
Wilfred W. Cournoyer	56
Raymond J. Desmarais	56
Keene	
Ward 1 (3)	
Charles P. Haley	54
Jeremiah J. Keating	54
Roy L. Terrill	56
Ward 2 (2)	
*James E. McCullough	53
Clarence H. Parker	53

Ward 3 (2)	
Frank J. Bennett	52
Edward E. Brown	52
Ward 4 (2)	
Ellen Faulkner	57
James B. Miskelly	55
Ward 5 (2)	
Walter P. Kretowicz	54
Laurence M. Pickett	54
Marlborough	
Wallace B. Oliver	58
Rindge	
James F. Allen	62
Surry	
Robert M. Crain	66
Swanzy (2)	
Jacob M. Hackler	60
Joseph Kershaw	59
Troy	
Robert H. Congdon	63
Walpole (2)	
Louis S. Ballam	72
Robert L. Galloway, Sr.	71
Westmoreland	
George S. Wildey	73
Winchester (2)	
Forest A. Frost	67
John B. Sawyer	67

SULLIVAN COUNTY

Acworth	
Glenn N. Bascom	60
Charlestown	
Martha McD. Frizzell	63

Claremont

Ward 1 (3)

Chauncey L. Cann	54
William L. Gaffney	53
Leroy H. Prudhomme	54

Ward 2 (3)

George W. Angus	54
Allan P. Campbell	54
Sam J. Nahil	53

Ward 3 (3)

Arthur W. Barrows	54
Carmine F. D'Amante	54
Alton G. Desnoyer	54

Cornish

Charles E. Guest, Sr.	62
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Croydon

Margaret L. Weber	50
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Goshen

Stanley H. Williamson	52
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Newport (4)

Elsie C. Bailey	45
Maurice J. Downing	45
Jesse R. Rowell	44
Joseph D. Vaughan	44

Plainfield

Tracy M. Spalding	71
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Sunapee

George R. Merrifield	45
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Unity

Margaret B. DeLude	64
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GRAFTON COUNTY

Ashland

Ernest J. Paquette	51
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Bath

Arthur H. Gilbert, Sr.	93
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Bethlehem	
Malcolm J. Stevenson	95
Bristol	
Bowdoin Plumer	33
Campton	
Philip S. Willey	60
Canaan	
Joseph C. Chandler	52
Ellsworth	
**Phoebe D. Powers	
Chester Avery	62
Enfield	
Walter C. Morse	56
Franconia	
Ernest F. Johnson	90
Grafton	
A. Stuart Gage	50
Hanover (4)	
John P. Bowler	69
Elizabeth W. Hayward	69
Fletcher Low	69
Genevieve S. Neale	69
Haverhill (2)	
Paul I. LaMott	89
Wilfred J. Larty	89
Holderness	
Herbert H. Karsten	47
Lebanon	
Ward 1 (2)	
Arthur F. Adams	63
George H. Beard	63
Ward 2 (2)	
Ernest R. Coutermarsh	63
Mary E. Demers	63
Ward 3 (2)	
J. Daniel Porter	63
Gladys L. Whipple	63
Lincoln	
George M. McGee, Sr.	75

Lisbon	
Rita Collyer	99
Littleton (3)	
L. Fay Burrill	100
Robert C. Hill	100
Eda C. Martin	100
Lyme	
Harold W. Haskins	80
Orford	
Charles L. Cushman	80
Piermont	
Meda L. Kinghorn	94
Plymouth (2)	
Kenneth G. Bell	52
Suzanne Loizeaux	52
Rumney	
Jesse A. Barney	52
Thornton	
Richard L. Bradley	70
Warren	
Fayne E. Anderson	62
Woodstock	
St. Clair A. Berringer	79

COOS COUNTY

Berlin	
Ward 1 (3)	
Guy J. Fortier	120
Philip H. Perrault	120
Edgar J. Roy	120
Ward 2 (2)	
Romeo A. Desilets	120
Frank H. Sheridan	120
Ward 3 (2)	
Raymond Dumont	120
Fay Vashaw	120

Ward 4 (3)	
Arthur A. Bouchard	120
Jennie G. Fontaine	120
Rebecca A. Gagnon	120
Carroll	
Ovila L. Ledoux	100
Colebrook	
Harry N. Marsh	150
Columbia	
Lovell V. Oakes	156
Dalton	
William O. Emerson	109
Gorham (2)	
Frank L. Crockett	113
George W. W. Graham	113
Jefferson	
Phyllis A. Kimball	106
Lancaster (2)	
Louis E. Bragg	116
Ralph D. Shute	111
*Walter E. Swett	
Milan	
*R. Wilbur Potter	126
Northumberland (2)	
Walter O. Bushey	124
Natalie M. Potter	124
Pittsburg	
Harvey H. Converse	180
Stewartstown	
Darwin M. Brooks	160
Stratford	
Bert Stinson	135
Whitefield	
Ada C. Taylor	102
*Deceased	
**Resigned	

Reconsideration

Mr. King of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it voted to adopt the concurrent resolution on the interim powers of the President of the Senate and the Speaker of the House and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

HB 45, relative to use of voting machines in the city of Manchester.

HJR 9, providing an appropriation toward reconstruction of Fort at Number Four.

HB 296, relative to interest charges on home mortgage loans.

The Chair Declared a One and One-half Hour Recess

After Recess

Report of Engrossed Bills Committee

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Bills and Resolutions:

HB 178, to prohibit discrimination in places of public accommodation.

HB 353, relative to the election of members of the Union School District in Concord.

HB 430, relative to use of municipal bond proceeds.

HB 468, relative to jointly sponsored soil conservation districts projects.

HB 477, to redistrict the state into senatorial districts.

HB 482, to revise the charter of the City of Nashua.

SB 143, extending the time when expenditures can be made from certain aeronautical appropriations.

HJR 45, relative to temporary and seasonal employees and providing salary increases for certain state officials.

HB 188, amending the charter of the city of Somersworth.

HB 227, relative to the construction of a physical education building at the University of New Hampshire.

HB 429, relative to representative town meeting government.

HB 432, legalizing the annual town meeting held in the town of Exeter March 14, 1961.

HB 449, relative to term of office of members of the state soil conservation committee.

HB 484, authorizing the appointment of a consultant to the commissioner of safety.

HB 488, relative to the salary of the mayor of Dover.

HB 70, providing for the training of fire fighters.

HB 480, relating to the election of representatives to the general court.

Senate Message

A further Senate message announced that the Senate concurs with the House in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 161, relative to officers of the New Hampshire State Port authority.

Amend the title of said bill by striking out the same and inserting in place thereof the following new title:

An Act providing an appropriation for reconstruction and restoration of the old New Hampshire State House.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Strawberry Bank Project. The sum of ten thousand dollars is hereby appropriated for the purpose of reconstruction and restoration of the Old New Hampshire state house as a part of the non-profit Strawberry Banke historical project.

This appropriation shall not lapse and shall be expended only after approval of the plans by the State Historical Commission. The governor is authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

2 Takes Effect. This act shall take effect sixty days after its passage.

Mr. Bowles of Portsmouth moved that the House concur in the Senate amendment and explained the amendment.

(discussion ensued)

Mr. Clement of Rochester moved that HB 161 be referred to the committee on Appropriations and spoke in favor of the motion.

Mr. Bowles of Portsmouth spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Stonemetz of Dover moved that the committee of conference on HB 419, relative to the salaries of registers and deputy registers of probate, be discharged.

Mr. Clement of Rochester spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Bowles of Portsmouth moved that the House concur in the Senate amendments and spoke in favor of the motion.

On a *viva voce* vote the House concurred in the Senate amendments.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 475, providing for the taxation of banks.

Amend RSA 84:16-c as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following: 84:16-c Imposition of Tax. Every such corporation as defined in section 16-a shall at the time of filing the reports provided for above pay to the division of interest and dividends, state tax commission, a franchise tax equal to one per cent of

the amount by which the total amount of interest, dividends and divided profits paid or credited by it on its savings deposits, savings shares, savings share accounts, or other similar evidences of savings in the twelve months' period preceding April first exceeds ten thousand dollars. There shall be deducted from the tax imposed by this section the amount which any national bank shall pay under the provisions of section 1 or which any other bank or trust company shall pay under the provisions of section 16-d; but the extent of such credit as to any such bank or trust company shall not exceed the amount of the tax imposed by this section, and such deduction shall not be allocable among the several towns in the distribution of the amount of tax collected.

Mr. Chandler of Bartlett explained the amendment.

On motion of Mr. Chandler of Bartlett the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 483, making appropriations for capital improvements, long term repairs and maintenance for the State of N. H.

and the President has appointed as members of said Committee on the part of the Senate: Senator Cheney and Senator Buckley and Senator Humphreys.

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 14, relative to manufacturers and wholesalers permits. and the President has appointed as members of said Committee on the part of the Senate: Senator Eaton and Senator Dunlap.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

SB 123, to impose an operating fee on aircraft.

Mr. Craig of Manchester offered the following concurrent resolution and moved its adoption:

Resolved, By the House of Representatives, the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to be adjourned and to receive any communication which he may be pleased to make.

On a *viva voce* vote the concurrent resolution was adopted.

The Chair appointed the following members on the committee:

Mr. Chandler of Bartlett
Mr. Goode of Manchester
Mr. Totman of Alstead
Mr. Hill of Littleton
Mr. Bell of Plymouth
Mr. Clement of Rochester
Mrs. Neale of Hanover
Mr. Downing of Newport
Mr. Hurley of Manchester
Mr. Walsh of Manchester

Mr. Bowles of Portsmouth moved that the Ways and Means committee be instructed to take action and report to the House on SB 38, to enable towns and cities to contribute to ski areas under certain conditions before 2:59 o'clock.

Mr. Bowles of Portsmouth spoke in favor of the motion.

Mr. Chandler of Bartlett spoke against the motion.

Mr. Pillsbury of Manchester inquired of the Chair if such a motion took a two-thirds vote to carry.

The Chair ruled that it would take a majority vote to instruct a committee and a two-thirds vote to discharge a committee.

Mr. Keating of Sutton and Mr. Daniell of Franklin spoke in favor of the motion.

Mr. Urie of New Hampton spoke against the motion.

(discussion ensued)

Mr. Nickerson of Goffstown and Mr. Mahoney of Manchester spoke in favor of the motion.

Mrs. DeLude of Unity spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

Senate Message

A further Senate message announced that the Senate concurs in the passage of the following bill with amendments, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 377, to provide for expansion of the state park system.

Amend section 3 of the bill, as amended, by inserting in the twentieth line thereof after the word "with" the words, private persons or agencies, provided, however, that any lease agreement with such private persons or agencies wherein the state is lessee shall be for a term of not less than forty years, or with" so that said section as amended shall read as follows:

3 Forestry and Recreation Commission: Authority. In the performance of its duties hereunder the commission shall give equal consideration to the recreational needs of all geographic areas of the state and shall have particular concern for the following objectives: a. the development of present parks and facilities thereon to their optimum capacity for skiing, camping, and other income producing potential. b. development of any other lands and facilities that the state now owns for optimum recreational potential. c. acquisition of new areas and facilities thereon within the state, believed by the commission to have sound potential for development, use and operation as state parks, historic sites or wayside areas. With the approval of the governor and council the commission shall have authority in the name of the state to acquire by lease, purchase or gift, and if need be, after acquisition, to dispose of by sale or exchange either land adjacent to present state parks believed by the commission to be required for the protection of the state or land for new areas. With like approval and notwithstanding any other provision of law the commission may enter into agreements with private persons or agencies, provided, however, that any lease agreement with such private persons or agencies wherein the state is lessee shall be for a term of not less than forty years or with public agencies, state, federal, or municipal, for the use, development and operation of lands so acquired or for the construction, use, development and operation of facilities thereon or to be constructed thereon which agreements may include the right to receive grants,

aids or services, as may be available from the federal government for acquisition, planning, development, maintenance or operation of state parks, and with respect to other New England states may include arrangements for regional planning, acquisition, development and operation of inter state parks. In the performance of its duties hereunder, the commission with approval of governor and council may employ such services as are necessary to acquisition, planning, design and development, and for such purposes it may assign to permanent employees of the department such additional duties on a temporary basis as it deems necessary and advisable. In such event, the performance of such additional duties by such personnel may be compensated from funds made available under this chapter.

Amend section 4 of the bill as amended, by striking out said section and inserting in place thereof the following: 4 Appropriation. A sum not exceeding ten million dollars, not more than five million dollars of which may be spent on projects which are not self-liquidating, is hereby appropriated for the purposes and projects authorized by the foregoing sections, as may be approved by the governor and council.

Amend section 5 of the bill, as amended, by striking out the word "five" in the fifth line thereof and inserting in place thereof the word, ten, so that said section as amended shall read as follows: 5 Bonds or Notes Authorized. For the purpose of providing funds necessary for the appropriation made by section 4 the state treasurer is hereby authorized, under the direction of the governor and council, to; borrow on the credit of the state from time to time, a total of ten million dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1990.

Further amend the bill, as amended, by striking out sections 10, 11 and 12.

Mr. Chandler of Bartlett moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Roberts of Conway, Goode of Manchester and Desnoyer of Claremont as conferees on the part of the House.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 463, An Act to incorporate the inhabitants of the easterly part of Lisbon into a separate town, with all the privileges and immunities of other towns in this state, having considered the same report the same with the following recommendation: that the House recede from its position of non-concurrence in the Senate amendment, that the Senate recede from its position in adopting its amendment, and that the following amendment be adopted:

Amend section 7 of the bill by striking out the same and inserting in place thereof the following:

7 Takes Effect. This act shall take effect as of April 1, 1962, provided, however, that during the period from March 1, 1962 to March 31, 1962 the first meeting of Sugar Hill shall be held as provided by section 4 of this act. Notwithstanding anything to the contrary in this section, in the event that on February 28, 1962 there is in existence a village district in the town of Lisbon with powers, liabilities, taxes and extent identical so far as possible to the Lisbon Village District which may have been dissolved in June 1960, then this act shall be null and void and of no further force and effect. On and after February 28, 1962 the provisions of RSA 52:21 shall not apply to any village district which may be in existence in Lisbon on February 28, 1962.

Mrs. DeLude of Unity
Mr. Craig of Manchester
Miss Loizeaux of Plymouth
Conferees on the Part of the House

Senator Drake
Senator McMeekin
Conferees on the Part of the Senate

On a *viva voce* vote the committee of conference report was adopted.

Mr. Goode of Manchester offered the following concurrent resolution and moved its adoption.

Resolved, that all bills and joint resolutions pending in either branch on Friday, June 30, at 5:00 o'clock, be indefinitely postponed.

On a *viva voce* vote the motion was adopted.

Reconsideration

Mr. Pillsbury of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it adopted the committee of conference report on HB 463, and spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the amendment to the Concurrent Resolution concerning the interim period between sessions sent up from the House of Representatives and requests a Committee of Conference; the President has appointed as members of said Committee of Conference on the part of the Senate Senator Battles and Senator Bergeron.

On a *viva voce* vote the House acceded to the House request for a committee of conference and the Chair appointed Messrs. Goode of Manchester, Karkavelas of Dover and King of Manchester as conferees on the part of the House.

Committee of Conference Report

The Committee of Conference, to whom was referred Concurrent Resolution regarding the interim period between sessions, having considered the same, report the same with the following recommendation:

That the senate recede from its position of non-concurrence, that the house recede from its position in passing the concurrent resolution, and that the following be adopted:

That the president of the senate and the speaker of the house be authorized to call together any committee of the house or senate, respectively, during the interim period be-

tween sessions, and to appoint any special committee during said interim to study any matter which the president or the speaker may deem necessary with the objective to expedite the 1963 session of the legislature; and to authorize the president of the senate to be empowered to accept resignations from the members of the senate and the speaker to accept resignations during the interim period from the members of the house.

Mr. Goode of Manchester

Mr. Karkavelas of Dover

Mr. King of Manchester

Conferees on the part of the House

Senator Battles

Senator Bergeron

Conferees on the part of the Senate

On a *viva voce* vote the committee of conference report was adopted.

Engrossed Bills Committee Report

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

HB 465, establishing marriage counseling service.

HB 473, relative to the state council on aging.

SB 123, to impose an operating fee on aircraft.

HB 165, relative to expenditure of state appropriations.

HB 290, to create a bank advisory board.

SB 57, establishing an interim committee to study the question of extending the powers of the Maine-New Hampshire Inter-state Bridge Authority.

HB 45, relative to use of voting machines in the city of Manchester.

HB 63, providing for the seasons for the taking of deer.

HB 296, relative to interest charges on home mortgage loans.

HJR 9, providing an appropriation toward reconstruction of Fort at Number Four.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, SB 157, to create the Littleton Parking District. Ought to pass with amendment.

Amend the bill by renumbering subsections (a)(8) through (a)(13) inclusive of section 4 to read (a) (7) through (a)(12) inclusive.

On motion of Mt. Peterson of Peterborough the House concurred in the amendment.

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 402, relative to credit unions. Ought to pass with amendment.

Amend the bill by striking out section 5 thereof.

Further amend the bill by renumbering sections 6 and 7 to read 5 and 6.

On motion of Mr. Bigelow of Warner the House concurred in the amendment.

Mr. Willey of Campton offered the following resolution:

HB 218, relative to employee wage rates on school district construction projects.

Whereas, the Public Works Committee has heard and voted by a vote of 13 to 4 to refer House Bill No. 218 to the Legislative Council, and

Whereas, said original bill has become lost, now therefore be it

Resolved that the subject matter of House Bill No. 218 be referred to the Legislative Council for study.

The Clerk read the bill in full.

Mr. Willey spoke in favor of the resolution.

Mr. Fortier of Berlin spoke against the resolution.

Mr. Newell of Concord spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. Goode of Manchester moved that the committee of conference on HB 377, providing for the expansion of the state park system, be discharged and spoke in favor of the motion.

Mr. King of Manchester spoke in favor of the motion.

(discussion ensued)

Mr. Desnoyer spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Mr. Goode of Manchester moved that the House concur in the amendments sent down by the Senate and spoke in favor of the motion.

(discussion ensued)

Messrs. King and Pillsbury of Manchester spoke against the motion.

Messrs. Urie of New Hampton, Williamson of Goshen and Chandler of Bartlett spoke against the motion.

The question now being on the motion to concur in the Senate amendments.

Mr. Roberts of Conway demanded the Yeas and Nays and the roll was called as follows:

YEAS 48

CARROLL COUNTY: Chandler of Bartlett, Davis of Conway, Hill of Conway, Thompson of Effingham, Blake, Brown of Sandwich, Kurth, Fox.

MERRIMACK COUNTY: Hutchinson, Audet, Lovejoy, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Lang, Goode, Hart, Dupont, Peabody.

CHESHIRE COUNTY: Miskelly, Frost, Sawyer.

SULLIVAN COUNTY: Weber, Merrifield.

GRAFTON COUNTY: Gilbert, Beard, McGee, Burrill, Avery, Berringer.

COOS COUNTY: Marsh, Brooks.

ROCKINGHAM COUNTY: Vey, Deming, Wylie, Keefe, Chandler of Portsmouth, White of Portsmouth, ward 4, Cross, Greene of Rye, Magoon, Roulston.

STRAFFORD COUNTY: Drew.

BELKNAP COUNTY: Matheson, Robertson, Ayre, Allan of Meredith.

NAYS 250

CARROLL COUNTY: Roberts, Taylor of Ossipee, Nickerson of Tamworth, Claffin.

MERRIMACK COUNTY: Guilbeault, Phelps, Keneval, Moore, Allen of Concord, York, Davis of Concord, Henry, Gibson, Hancock, Bingham, Seamans, Peaslee, Sanders, Barnard, Gove, Maxham, Newell of Concord, Jennings of Concord, Brown of Danbury, McKay, Daniell of Franklin, Gilman of Franklin, Charland, Dempsey, Carpenter, Broek, Mulaire, London, Thompson of Northfield, Plourde, Brewster, Tarrant, Keith.

HILLSBOROUGH COUNTY: Edwards, Wiggin of Bedford, Bartlett, Jennings of Goffstown, Nickerson of Goffstown, Pickering, Eaton, Claveau, Gallagher, Provencal, Warren, Ainley, Pettigrew, Mahony, Pillsbury, Bruton, Hayes, Cullity, Nolan, Manning, Walsh, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, O'Connor, LaFrance, Tessier, Campagna, Cote, Craig, Delisle, Cary, Morris, Belanger, Bergeron, King, Hurley, Dumas, Lemay, Nalette, Allard, Rousseau, Gamache, Deans, Falconer, Cole, Cooper, Milliken, Underhill, Dionne of Nashua, Ward 2, Kirkorian, Brosnahan, Sullivan, Pappagianis, Mason, Bissonnette, Bouley, Sablusi, Bouthillier, Locke, Karnis, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Desmarais, Haley, Keating, Terrill, Parker, Bennett, Faulkner, Kretowicz, Oliver, Allen of Rindge, Crain, Hackler, Wildey.

SULLIVAN COUNTY: Bascomb, Frizzell, Cann, Gaffney, Prudhomme, Angus, Campbell, Barrows, D'Amante, Desnoyer, Guest, Williamson, Downing, Vaughan, Spalding, DeLude.

GRAFTON COUNTY: Paquette, Plumer, Willey, Chandler of Canaan, Morse, Gage, Bowler, Hayward of Hanover, Low, Neale, Larty, Adams of Lebanon, Demers, Porter, Whipple,

Collyer, Martin, Haskins, Cushman, Kinghorn, Bell, Loizeaux, Barney, Bradley, Anderson.

COOS COUNTY: Fortier, Perrault, Roy, Desilets, Sheridan, Bouchard, Fontaine, Gagnon, Oakes, Crockett, Graham, Kimball of Jefferson, Shute, Bushey, Potter of Northumberland, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Persson, Spollett of Chester, Scott of Deerfield, Gay, Kimball of Derry, White of Derry, Nickerson of East Kingston, Hackett, Eastman of Exeter, Purington, Tufts, Weeks, Spollett of Hampstead, Casassa, Clark of Kingston, Shepard, Jenkins, Hislop, Sewall, Twardus, Cheney, Carter, Pinkham, McDaniel, Palmer, Driscoll, Bowles, Stafford, Dame, Osborn, Carkin, Peever, Felch.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Fellows, Stonemetz, Colbath, Bevan, Heald, Littlehale, Gilman of Farmington, Adams of Madbury, Reid, Rolfe, Maxfield, Watson of Rochester, Potvin, St. Pierre, Johnson of Rochester, Clement, Varney, Maloomian, Habel, Cormier, Littlefield, Wyatt.

BELKNAP COUNTY: McAllister, Watson of Belmont, Lord, Harkins, Normandin, Prescott, Stothart, MacIsaac, Urie, Joslyn, Howe.

And the motion to concur in the Senate amendments was lost.

Mr. King of Manchester moved that a new conference committee be appointed on HB 377.

Mr. Gilman of Farmington spoke in favor of the motion.

On a *viva voce* vote the motion was adopted and the Chair appointed Messrs. Urie of New Hampton, Williamson of Goshen and King of Manchester as conferees on the part of the House.

Senate Message

A Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 402, relative to credit unions.

SB 157, to create the Littleton Parking District.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 463, to incorporate the inhabitants of the easterly part of Lisbon into a separate town, with all the privileges and immunities of other towns in this state.

Indefinitely Postponed

In accordance with the resolution that all bills and joint resolutions pending in either branch on Friday, June 30, at 5:00 o'clock, EDT, be indefinitely postponed the following entitled bills and captioned joint resolutions were indefinitely postponed:

HB 125, relative to licensing of auctioneers.

HB 28, relative to voting on town appropriations by ballot.

HB 111, legalizing a special meeting of the town of Swanzezy.

HB 326, to provide for the election of county commissioners on a rotating basis.

SJR 14, in favor of Robert McPhee.

HB 194, relating to mutual savings banks.

HB 303, relating to disclosure of finance charges in connection with extension of credit.

HB 375, to license and regulate the business of making loans in sums of twenty-five hundred dollars or less at a greater rate of charge than six per cent per annum.

HB 376, relative to small loans.

HB 268, relating to community antenna television systems.

HB 458, relative to the practice of law.

SJR 13, continuing gas investigation.

HB 88, relative to an assistant superintendent.

HB 470, providing for special motor vehicle number plates for certain legislative employees.

HJR 39, providing for a study of railroad problems in the New Hampshire.

HB 472, prohibiting hunting in the town of Newington except under certain conditions.

HB 38, requiring licensed agents to furnish bond.

HB 252, relative to deer driving.

HB 41, relative to radio system for the fish and game department.

HB 183, limiting the taking of deer to certain sections of the state.

HB 179, relative to division of the state for the taking of wild deer.

HB 130, relative to uniform season for taking deer.

HB 329, relating to life insurance and annuity business; limitation of expenses.

HB 320, relative to commissions paid to agents by insurance companies.

HB 253, relative to premium charges to debtors for group credit life and accident and health insurance.

HB 168, relative to policy fees for accident and health insurance.

HB 167, relative to cancellation of accident and health insurance policies.

HB 481, relative to hospital insurance and service contracts.

HB 394, relative to reinstatement of insurance policies.

HB 309, relative to the awarding of prizes for life insurance companies.

HJR 29, providing for a study of credit life and credit accident and health insurance.

HB 367, relative to cancellation of certain insurance policies.

HB 474, to increase the salary of the clerk of the Manchester municipal court.

HB 6, relative to improvements at Laconia State School.

HB 30, providing for supplemental appropriation for board of chiropractic examiners.

HB 93, in relation to the duties of the attorney general relative to subversive activities.

HB 150, to provide for a study of public access to the public lakes and ponds of the state over ten acres in extent.

HB 161, providing an appropriation for reconstruction and restoration of the old New Hampshire State House.

HB 162, authorizing the acquisition of a parking area in Concord for the general court.

HB 166, relative to the library building at the U. N. H.

HB 351, relative to members of the racing commission.

HB 391, relative to optional allowances under the teachers' retirement system.

HB 397, relative to longevity for legislative attachés.

HB 406, providing for the acquisition of certain dams and water rights by the water resources board.

HB 426, relative to sewage system at the Laconia state school.

HB 448, relative to the director of special health services.

HB 459, providing for the acquisition of certain dams and water rights by the water resources board.

HB 469, establishing a division of actuarial services within the department of the legislative budget assistant.

SB 66, to encourage the private development of public lands.

SB 102, establishing a division of boards and commissions within the department of administration and control.

SB 161, relative to salaries for classified and unclassified state employees.

HJR 2, relating to office space for the bank commissioner.

HJR 7, to provide increased funds for geologic surveying.

HJR 20, relative to equipment for Hampton beach.

HJR 40, providing for a manual on powers and duties of county conventions.

HJR 35, relative to the study of aquatic nuisances.

HJR 38, providing funds for improving the acoustics in representatives hall.

HJR 42, relative to funds for improvements at Chandler's cove.

SJR 2, providing an appropriation toward the repair and improvement of the Berlin or Nansen ski jump so-called.

SJR 9, to provide protection for Boar's Head at Hampton.

HB 422, providing for the abolition of the milk control board.

HB 425, providing for the date of processing to be inscribed on milk containers.

HB 88, relative to assistant superintendents.

HB 427, relative to minimum wage law.

HB 211, increasing the rate for minimum wages.

HB 348, increasing the rate for minimum wages.

HB 127, repealing minimum wage provisions for employees in public works.

HB 405, prohibiting agreements for compulsory retirement.

HB 390, providing citizens job protection.

HB 335, to establish uniform minimum compensation for the maintenance and care of dependent children in homes for children.

HB 218, relative to employees wage rates on school district construction projects.

SB 37, permitting property tax exemptions of ski areas under certain conditions.

SB 38, to enable towns and cities to contribute to ski areas under certain conditions.

HB 202, relative to use of motor vehicles used exclusively for camping purposes.

HB 431, relative to exemption from property taxes of certain parts of the state airways system.

HB 454, relative to certain motor vehicle road toll refunds and registration fees.

HB 460, relative to taxation of railroads.

SB 159, permitting property tax exemptions of ski areas under certain conditions.

SB 160, to enable towns and cities to contribute to ski areas under certain conditions.

SB 48, amending the financial responsibility act.

HB 369, relative to salaries of officers of domestic insurance companies.

HB 192, relative to open season for taking deer.

HB 289, relative to the budget message of the mayor of the city of Manchester.

HB 156, relative to the clerk hire in the office of the sheriff of Strafford county.

HB 257, establishing a police commission for the city of Franklin.

HB 74, providing for the election of county commissioners for the county districts of Sullivan county.

HB 8, increasing the salary of the Grafton county attorney.

HJR 14, providing for a live wild animal display at Mt. Sunapee state park.

HJR 9, providing for a study of railroad problems in New Hampshire.

HB 304, relative to term of office and salary of the mayor of the city of Manchester.

SB 74, relative to completion of state highway project in the town of Andover.

HB 453, relative to an assistant deputy register of Hillsborough county.

HB 380, relative to the salary for register of deeds for Hillsborough county.

SB 4, increasing the salary of the Hillsborough county attorney.

(Mr. Deans of Milford in the Chair)

Mr. Pappagianis of Nashua offered the following resolution:

Whereas, final adjournment is now at hand, due to the diligent and untiring efforts of the Committee on Engrossed Bills, and

Whereas, we appreciate the labor and the long hours that this committee has of necessity given to their tasks, therefore be it

Resolved, that we, the members of the 1961 House of Representatives, in General Court convened, do hereby render to this Committee, consisting of Representative Shepard of Londonderry, Representative Ayre of Laconia, Representative Burrill of Littleton, Representative Kinghorn of Piermont and Representative Cary of Manchester, our heartiest thanks for work well done and our appreciation of their service, and be it further

Resolved, that the committee be given a rising vote of thanks.

On a standing vote the resolutions were unanimously adopted.

Messrs. Chandler of Bartlett and Goode and King of Manchester offered the following resolutions:

Whereas, not since 1917 has the honor of serving as Speaker of the House of Representatives for a second term been bestowed in New Hampshire, and

Whereas, such testimony of fitness has been awarded to Stewart Lamprey, Representative from Moultonboro, and

Whereas, Speaker Lamprey has always been most helpful, willing to meet with his fellow representatives at any and all times to discuss their problems of legislation, and meeting each crisis as it arose in a manner commendable to his office, therefore be it

Resolved, that we, the members of this House of Representatives, in General Court convened, do hereby proffer our thanks to Speaker Lamprey for his cooperation and kind consideration with our best wishes for his future aspirations, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Speaker Lamprey.

On a *viva voce* vote the resolutions were unanimously adopted.

Miss Bailey for the Committee on Appropriations offered the following resolutions:

Whereas, Arnold T. Clement, Representative from Rochester, is the Chairman of the Committee on Appropriations of the House, and

Whereas, He has served with distinction, not only in the discharge of his duties as Chairman of this important committee but as a Member of the House, and at all times he has given courteous consideration to not only the members of his committee in their duties but to others with whom he has been in contact, all this in a very friendly manner, therefore be it

Resolved, That we, the Members of the Committee on Appropriations of the House of Representatives of the New Hampshire General Court, for ourselves and for the other Members of the House, express to Arnold Clement our sincere thanks for these qualities and our appreciation of his ability to conduct himself in such a capable manner in the high position he holds, and be it further

Resolved, That the Clerk transmit to Chairman Clement a copy of these Resolutions.

On a *viva voce* vote the resolutions were unanimously adopted.

(Speaker in the Chair)

Engrossed Bills Report

Mr. Shepard of Londonderry for the Committee on Engrossed Bills, HB 225, relative to state guarantee of mortgages on industrial buildings. Ought to pass with amendment.

Amend the amending clause referring to paragraph I of RSA 162-A:14-a, as inserted by section 1 of the bill, by striking

out the word and figure "paragraph I" and inserting in place thereof the words and figures, paragraphs I and II.

Amend section 4 of the bill, as inserted by the amendment, by striking out in the third and fourth lines the words "eleventh line" and inserting in place thereof the words, tenth line.

On motion of Mr. Bigelow of Warner the House concurred in the amendments.

Report of Engrossed Bills Committee

Mr. Burrill of Littleton for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 419, relative to the salaries of registers and deputy registers of probate.

HB 475, providing for the taxation of banks.

SB 107, relative to salaries of legislative attachés.

HB 463, to incorporate the inhabitants of the easterly part of Lisbon into a separate town, with all the privileges and immunities of other towns in this state.

HB 230, relative to liability for education of children in foster homes.

HB 297, relative to school buses.

HB 395, relative to free registration number plates for emergency vehicles.

HB 402, relative to credit unions.

HB 471, relative to the salaries of the Secretary of State and Deputy Secretary of State and the State Treasurer and Deputy State Treasurer.

SB 157, to create the Littleton Parking District.

Committee of Conference Report

The Committee of Conference to which was referred HB 377, An Act to provide for expansion of the state park system, having considered the same report the same with the following recommendation.

That the House recede from its position of non-concurrence and adopt the amendment of the Senate and that the Senate and House both adopt the following amendment:

Amend section 3 of the bill as amended by striking out said section and inserting in place thereof the following: 3 Forestry and Recreation Commission: Authority. In the performance of its duties hereunder the commission shall give equal consideration to the recreational needs of all geographic areas of the state and shall have particular concern for the following objectives: a. the development of present parks and facilities thereon to their optimum capacity for skiing, camping, and other income producing potential. b. development of any other lands and facilities that the state now owns for optimum recreational potential. c. acquisition of new areas and facilities thereon within the state, believed by the commission to have sound potential for development, use and operation as state parks, historic sites or wayside areas. With the approval of the governor and council the commission shall have authority in the name of the state to acquire by purchase or gift, and if need be, after acquisition, to dispose of by sale or exchange either land adjacent to present state parks believed by the commission to be required for the protection of the state or land for new areas. With like approval and notwithstanding any other provision of law the commission may enter into agreements with public agencies, state, federal, or municipal, for the use, development and operation of lands so acquired or for the construction, use, development and operation of facilities thereon or to be constructed thereon which agreements may include the right to receive grants, aids or services as may be available from the federal government for acquisition, planning, development, maintenance or operation of state parks, and with respect to other New England states may include arrangements for regional planning, acquisition, development and operation of inter-state parks. In the performance of its duties hereunder, the commission with approval of governor and council may employ such services as are necessary to acquisition, planning, design and development, and for such purposes it may assign to permanent employees of the department such additional duties on a temporary basis as it deems necessary and advisable. In such event, the performance of such additional duties by such personnel may be compensated from funds made available under this chapter.

Amend section 5 of the bill as amended by striking out said section and inserting in place thereof the following: 5 Appropriation. A sum not exceeding nine million dollars is hereby appropriated for the purposes and projects authorized by the foregoing sections, as approved by the governor and council, provided nevertheless, that no project shall be approved by the governor and council unless a public hearing has been held thereon.

Further amend the bill by adding the following new sections.

10 Recreational Facilities. Amend RSA 162-A:1 (supp) as inserted by 1955, 254:1 by inserting after the word "industry" in the second line the words, recreational facilities, and by inserting after the word "industrial" in the seventh line the word, recreational, so that said section as amended shall read as follows:

162 A-1 Declaration of Need and Purpose. It is declared that there is a state-wide need for the development of additional industry, recreational facilities and areas suitable for such development for the preservation and betterment of the economy of the state and its inhabitants. It is the purpose of this chapter to provide for the establishment of such areas together with adequate transportation, water, sewage and other necessary facilities so as to provide and encourage orderly industrial and recreational development in the best interests of the state. It is further declared that the industrial park authority, created hereunder, shall be regarded as performing a governmental function in carrying out the provisions of this chapter.

11 Definitions. Amend RSA 162-A:2 (supp) as inserted by 1955, 254:2 by adding at the end thereof the following new paragraph:

(5) The words "industry" and "industrial park" shall include recreational facilities.

12 Debt Limitation. Amend RSA 162-A:12 (supp) as inserted by 1955: 254:12 and amended by 1957, 237:1 and 1959, 142:1 by striking out the words "three million dollars" in the third line and inserting in place thereof the words, four million dollars, of which amount not more than three million dollars shall be in connection with industrial projects and not more than one million dollars shall be in connectin with projects for

recreational facilities, so that said section as amended shall read as follows:

162-A:12 Debt Limitation. The authority shall not issue its notes or bonds as provided by this act at any one time in an amount exceeding four million dollars, of which amount not more than three million dollars shall be in connection with industrial projects and not more than one million dollars shall be in connection with projects for recreational facilities.

Amend the bill, as amended, by adding at the end thereof the following new section.

14 At such time as the department of resources and economic development shall have been established, the recommendation to governor and council which shall be initiated by the director of parks, in respect to any project shall have appended thereto a statement of opinion on said project from the advisory commission to the department of resources and economic development.

Further amend the bill, as amended, by adding at the end thereof the following new section.

15 The provisions of RSA 228:4 (supp) shall apply to the execution of agreements pursuant to this act.

H. Thomas Urie
Stanley H. Williamson
John W. King

Conferees on the Part of the House

Thomas C. Dunnington
Nathan T. Battles

Conferees on the Part of the Senate

Mr. Urie of New Hampton explained the conference report.

On a *viva voce* vote the committee of conference report was adopted.

Senate Message

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 377, to provide for expansion of the state park system.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

SB 51, relating to the licensing of auctioneers.

Amend the last line of the bill by striking out the same and inserting in place thereof the following:

2 Takes Effect. This act shall take effect as of June 1, 1962.

On motion of Mrs. Roulston of Salem the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 209, to clarify and make more uniform the laws relating to banking and to make certain technical amendments thereto.

Amend section 10 of the bill by striking out said section and inserting in place thereof the following:

10 Other Evidence of Deposit Account. Amend RSA 386 by inserting after section 53 thereof, as inserted by 1961, 195:1, the following new section: 386:54 Savings Accounts Without Passbooks. It shall be lawful for all savings banks and savings departments subject to this chapter to accept deposit accounts which are to be appropriately evidenced by a document other than a passbook or bank book. The provisions of sections 21 to 23 inclusive, sections 31 to 33 inclusive, and section 39 of this chapter shall apply to such other evidence of deposit account.

On motion of Mr. Bigelow of Warner the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 377, to provide for expansion of state parks system.

Amend line 4 of section 10 of the bill by striking out the words "word, recreational" therein and inserting in place thereof the words, words, and recreational.

Amend section 13 of the bill by inserting after the figure "13" the following, Statement of Opinion.

Amend section 14 of the bill by inserting after the figure "14" the words, Competitive Bidding.

On motion of Mr. Allen of Meredith the House concurred in the Senate amendments.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 43, regulating small loans and providing for disclosure of finance charges generally.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act regulating small loans and providing for disclosure of finance charges generally.

Further amending the bill by striking out section 7 relative to "application of statute" and by renumbering sections 8 and 9 to read 7 and 8.

On motion of Mr. Maloomian of Somersworth the House concurred in the Senate amendment.

Committee of Conference Report

The committee of conference to whom was referred HB 483, An act making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire, having considered the same report the same with the following recommendation: that the House recede from its position of non-concurrence of the Senate amendments, the Senate recede from its position in adopting its amendments, and that the House and Senate adopt the following amendments:

Amend paragraph 1 of section 1 of the bill by striking out the words "two million nine hundred forty-five thousand nine hundred twenty-seven dollars" and inserting in place thereof the words, two million nine hundred forty-nine thousand nine hundred twenty-seven dollars, so that said paragraph as amended shall read as follows:

1 Appropriation. The sum of two million nine hundred forty-nine thousand nine hundred twenty-seven dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same. The estimated costs for the projects are as follows:

Further amend section 1, in the paragraph I. Administration and control: by inserting after the words and figures, Supreme Court room-rug 6,500.00 the following item: Legislature — senate, maintenance, repairs and furnishings of senate chamber and offices 5,000.00* Further amend said paragraph I by striking out the words and figures "Total \$17,500.00" and inserting in place thereof, Total \$22,500. Further amend said paragraph by inserting at the end thereof the following footnote:

*This amount shall be expended only under the direction of the president of the senate and the chairman of the senate finance committee.

Further amend section 1 of the bill, in the paragraph VI. Soldiers Home: by inserting after the figure 10,000.00, the following item: Painting of buildings 5,000.00. Further amend by inserting at the end of said paragraph VI. the words and figures, Total 15,000.00

Further amend section 1 of the bill, in the paragraph VII. State hospital: by striking out said paragraph and inserting in place thereof the following:

Construction of duplex residence	\$50,000.00
Howard auditorium — stairways and library	20,000.00
750 K.W. generator*	166,000.00
Laundry equipment	45,000.00
Total	<hr/> 281,000.00

*Not to be spent without the approval of governor and council.

Further amend said bill, in section 2 by striking out the words "The sum of three hundred seventy-one thousand eight hundred dollars" and inserting in place thereof the words, The sum of four hundred nine thousand eight hundred dollars.

Further amend said bill in section 2 by inserting after the figure "8,600.00*" the following item:

Chandler's Cove Project	38,000.00
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Further amend section 2, by striking out at the end thereof, the words and figures, "Total 371,800.00" and inserting in place thereof, Total 409,800.00, so that section 2 as amended shall read as follows:

2 Recreational. The sum of four hundred nine thousand eight hundred dollars is hereby appropriated for the recreational division, as follows:

Additions to shelter building — Suna-	
pee state park	\$204,000.00
T-bar type ski lift — Cannon mountain	53,000.00
Fire protection system at tramway —	
Cannon mountain	51,000.00
Addition to Peabody slope building —	
Franconia	55,200.00
Engineering services — transfer	8,600.00*
Chandler's Cove project	38,000.00
	<hr/>
Total	409,800.00

*This amount shall be transferred to the public works division for preliminary engineering, inspection and overhead.

Further amend said bill in section 4 by striking out said section and inserting in place thereof the following:

4 Department of Education. The sum of one million four hundred twenty-one thousand forty-four dollars is hereby appropriated for the department of education as follows:

Dormitory and land for married students —	
Keene teachers college	\$445,395.00

Dormitory for women — Plymouth
teachers college

975,649.00

Total

\$1,421,044.00*

*Of this amount \$36,044.00 shall be transferred to the public works division for preliminary engineering, inspection and overhead.

Further amend said bill in section 6, by inserting after the words "Mary Lyon hall and Rounds hall 44,200, the following new item: Rip rap at Great Boar's Head \$25,000.00

Further amend said bill, in section 6, by striking out at the end thereof the words and figures "Total 304,660.00" and inserting in place thereof, Total for deferred maintenance 279,660.00. Further amend said section 6 by striking out the final paragraph, reading "The governor is authorized to draw his warrants for the sums hereby appropriated for deferred maintenance out of any money in the treasury not otherwise appropriated. Any balance of the appropriations made herein shall not lapse until June 30, 1964."

Amend said bill in section 10 by striking out the words and figures "two million nine hundred forty-one thousand nine hundred twenty-seven dollars (\$2,941,927)" and inserting in place thereof, two million nine hundred forty-nine thousand nine hundred twenty-seven dollars (\$2,949,927). By striking out the words and figures, "three hundred seventy-one thousand eight hundred dollars (\$371,800);" and inserting in place thereof, four hundred nine thousand eight hundred dollars (\$409,800.00); By striking out the words and figures "one million three hundred seventy-one thousand forty-four dollars (\$1,371,044.00)" and inserting in place thereof, one million four hundred twenty-one thousand forty-four dollars (\$1,421,044.00); By inserting after the figure "(\$1,690,500)" the following, to provide funds for the appropriation made in section 6 hereof not exceeding the sum of two hundred seventy-nine thousand six hundred sixty dollars (\$279,660.00) so that said section 10 as amended shall read as follows:

10 Borrowing Power. To provide funds for the appropriation made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of two million nine hundred forty-nine thousand nine hundred

twenty-seven dollars (\$2,949,927); to provide funds for the appropriations made in section 2 hereof not exceeding the sum of four hundred nine thousand eight hundred dollars (\$409,800); to provide funds for the appropriation made in section 3 hereof not exceeding the sum of ten thousand two hundred seventy dollars (\$10,270); to provide funds for the appropriations made in section 4 hereof not exceeding the sum of one million four hundred twenty-one thousand forty-four dollars (\$1,421,044.00); to provide funds for the appropriation made in section 5 hereof not exceeding the sum of one million six hundred ninety thousand five hundred dollars (\$1,690,500.00); and to provide funds for the appropriations made in section 6 hereof not exceeding the sum of two hundred seventy-nine thousand six hundred sixty dollars (\$279,660.00); and for said purposes may issue bonds and notes in the name and on behalf of the State of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. Said bonds and notes are to be paid within a period of ten years. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Further amend said bill in section 14, by striking out the words "(1) not exceeding the sum of two million nine hundred forty-five thousand nine hundred twenty-seven dollars," and inserting in place thereof, two million nine hundred forty-nine thousand nine hundred twenty-seven dollars; by striking out the words "(2) not exceeding the sum of three hundred seventy-one thousand eight hundred dollars" and inserting in place thereof, (2) not exceeding the sum of four hundred nine thousand eight hundred dollars; by striking out "(4) not exceeding the sum of one million three hundred seventy-one thousand forty-four dollars" and inserting in place thereof, (4) not exceeding the sum of one million four hundred twenty-one thousand forty-four dollars; and by inserting after the figure "5" at the end of the section the following words and figures, ; and (6) not exceeding the sum of two hundred seventy-nine thousand six hundred sixty dollars for borrowing to provide funds for the purpose of section 6; so that said section 14 as amended shall read as follows:

14 Short Term Notes. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the

governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no time shall the indebtedness of the state on short term loans exceed the following sums: (1) not exceeding the sum of two million nine hundred forty-nine thousand nine hundred twenty-seven dollars for borrowing to provide funds for the purposes of section 1; (2) not exceeding the sum of four hundred nine thousand eight hundred dollars for borrowing to provide funds for the purposes of section 2; (3) not exceeding the sum of ten thousand two hundred seventy dollars for borrowing to provide funds for the purpose of section 3; (4) not exceeding the sum of one million four hundred twenty-one thousand forty-four dollars for borrowing to provide funds for the purposes of section 4; (5) not exceeding the sum of one million six hundred ninety thousand five hundred dollars for borrowing for the purposes of section 5; and (6) not exceeding the sum of two hundred seventy-nine thousand six hundred sixty dollars for borrowing to provide funds for the purpose of section 6.

Amend the bill by inserting after section 18 the following new section:

19 Appropriation. The sum of \$127,558.59, being the same amount as the unexpended balance of the funds appropriated by Laws of 1955, Chapter 212, is hereby appropriated to the University of New Hampshire for the purpose of making final payments on the completed construction, furnishings and equipping of the new library building at the university and for the remodeling of the former library building for instructional purposes.

Construction of Statute. The appropriation made under the provisions of section 1 shall be a charge upon the bonds authorized and issued by Laws of 1955, Chapter 212.

Further amend the bill by renumbering section 19 to read 20.

Paul Karkavelas

Henry Goode

Howell Shepard

John King

Agenor Belcourt

Conferees on the part of the House

Cecil Charles Humphreys

Frank T. Buckley

Conferees on the part of the Senate

Mr. King of Manchester moved to dispense with reading of the report.

Mr. King explained the report.

On a *viva voce* vote the motion prevailed.

The question now being on the adoption of the committee of conference report.

On a *viva voce* vote the report was adopted.

Personal Privilege

Mr. King of Manchester rose on a point of personal privilege.

Mr. King of Manchester moved that further consideration of any committee of conference reports pending at this time be indefinitely postponed.

On a *viva voce* vote the motion prevailed.

Mr. Pickett of Keene offered the following amendment to the concurrent resolution concerning final adjournment.

Amend the concurrent resolution by striking out same and inserting in place thereof the following:

Whereas, it appears that all necessary legislative work may be accomplished by Saturday, July 1, next, therefore be it

Resolved, by the House of Representatives, the Senate concurring, That the present session of the Legislature be brought to final adjournment on Saturday, July 1, next, at 3:00 o'clock in the morning, and be it further

Resolved, That on that date all reports, bills and joint resolutions, with the exception of those such as have been referred to the Legislative Council, Judicial Council and the next legislature, be indefinitely postponed.

On a *viva voce* vote the amendment was adopted.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 483, making appropriations for capital improvements, long term repairs and deferred maintenance for the State of New Hampshire.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 483, making appropriations for capital improvements, long term repairs and deferred maintenance for the State of New Hampshire.

Amend section 19 of the bill by striking out in line eight thereof the word and figure "section 1" and inserting in place thereof the following, this section.

On a *viva voce* vote, the House concurred.

Report of Committee on Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 225, relative to state guarantee of mortgages on industrial buildings.

HB 209, to clarify and make more uniform the laws relating to banking and to make certain technical amendments thereto.

SB 51, relating to the licensing of auctioneers.

HB 43, regulating small loans and providing for disclosure of finance charges generally.

HB 377, to provide for expansion of the state park system.

Senate Message

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills:

HB 377, to provide for expansion of the state park system.

Joint Convention

Report of Engrossed Bills Committee — Joint Rule 6

Senator Monahan of Hanover for the Committee on Engrossed Bills, HB 377, to provide for expansion of the state park system. Ought to pass with amendment.

Amend section 6 of the bill by striking out in line three thereof the numeral "4" and inserting in place thereof the numeral 5.

On motion of Senator Monahan of Hanover the House concurred in the amendment.

Committee on Engrossed Bills Report

Mr. Shepard of Londonderry for the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

HB 483, making appropriations for capital improvements, long term repairs and maintenance for the State of New Hampshire.

TO MEMBERS OF LEGISLATURE

THE FAMILY OF

R. WILBUR POTTER

ACKNOWLEDGES WITH

DEEP APPRECIATION YOUR

KIND EXPRESSION OF

SYMPATHY

On motion of Mr. Purrington the House adjourned from the morning session.

Afternoon Session

On motion of Mr. Wiggin of Bedford the House adjourned at 4:59 A.M.

SATURDAY, JULY 1, 1961

The House met at 5:00 A.M. o'clock.

The Chair requested that the entire membership advise the Governor that the Joint Convention has completed its work and it is ready to receive any message he might wish to extend.

His Excellency, Governor Wesley Powell, appeared before the Joint Convention and delivered the following message:

Governor's Message

Mr. Speaker, Mr. President, Honorable Members of the General Court:

We come now to the adjournment of what I consider to be the most constructive and productive session of the Legislature of the State of New Hampshire.

Each of you who has shared in the wonderful steps of progress to which I shall make reference can feel proud of your service here for as long as you live. The people of New Hampshire can be and will be proud of each of you who has supporter and fought for the program of accomplishment in which you and I rightly express pride at this moment.

In the closing moments of this 1961 Session of the Legislature I shall not take your time to enumerate all of the helpful legislation which has been passed. However, I do feel that brief reference should be made to the highlights of this historic sessions.

1. For the first time in the history of our state government funds have been appropriated to assist local communities in the establishment or continuation of school classes for retarded children.

2. For the first time in the history of our state government we have authorized medical care for our elderly citizens of limited financial means.

3. We have given to the employees of our state government the substantial pay increase to which we were committed and the salaries of members of the state family will tomorrow become the highest in the history of our state departments and institutions. At the same time, we have improved and increased the retirement benefits of state employees and we have undertaken new and very substantial assistance to such categories of public servants as firemen and policemen, including the law enforcement employees of our state government.

4. For the first time in the history of our state government an anti-discrimination law has been passed for the benefit of all our people and particularly the minority groups.

5. For the first time in the history of our state government and as a further contribution to the economic growth to each of our communities better than \$1,000,000 has been appropri-

ated to promote, plan, advertise, and develop the industrial, recreational, and agricultural resources of New Hampshire.

6. We have substantially expanded the potential of our Industrial Park Authority and the New Hampshire Development Corporation to assist business and industry now in the state and to attract new job opportunities to the individual communities of New Hampshire toward the gainful employment of our expanding population.

In addition, only the state of Hawaii in all of the fifty states stands above us in benefits paid to those unfortunately out of work.

7. We have improved our Workmen's Compensation laws and Unemployment Compensation benefits.

8. For the first time in the history of our state government we have undertaken a long-range expansion program — I refer to the \$10,000,000 bond issue — for our recreational facilities in order that our own increased population may have better opportunities for family relaxation and toward the attraction of an ever-increasing number of tourists whose presence we enjoy and whose presence can contribute increasingly to the income of our people and the revenues of the State Treasury.

9. We have increased appropriations from the State Treasury for state and local education programs to the highest point in history. Our institutions of higher learning, the Department of Education, and the school districts throughout the state will be better financed and equipped than at any time before to meet the responsibility of educating our younger citizens. It will be of interest to you that the total appropriations for education run to approximately 40% of our general fund budget.

10. We have continued the accelerated highway program and again in the coming biennium will have under way the biggest construction program in our history as a further contribution to the economic growth of New Hampshire and the economic well-being of our every citizen.

11. We have accomplished a needed and sweeping reorganization of state government which will spell out more efficient and improved service to the people of New Hampshire and help us to find the necessary dollars for further expansion of the essential services in the years ahead.

12. As we adjourn this 1961 session of the Legislature, having achieved the foregoing and other outstanding steps of progress, we leave our State Treasury in as healthy a condition as can be claimed by any other state in the Union and a condition which is the envy of most other jurisdictions. In other words, because of the prudent policies followed in the earlier session of the Legislature and the continuing sound administration of state government, we have been able to move forward with expanded and new programs but at the same time maintain a balanced budget.

13. Perhaps most outstanding of all is the significant and unique fact that our increased programs and costs have been undertaken without the imposition of new forms of taxation upon the people of New Hampshire. A majority of the states of the Union would like to be in the position to cite such a truth, for it is in beautiful contrast with the burdens of old and new taxes shouldered by the peoples of other states.

There are many other specifics which could be recited but I sum it all up by saying that in these six months together we have accomplished more than has ever been accomplished before in behalf of human needs and at the same time we have avoided increasing the burdens upon the human beings who are our state and who are our government. I repeat that each of you who has had a part in compiling this record of achievement can be exceedingly proud and is entitled to the high praise and deep gratitude of the citizens of New Hampshire.

Mr. Speaker and Mr. President:

To each of you I express my very personal and heartfelt appreciation for the splendid leadership you have given to the respective houses as well as for the help you have been to me. Nothing could be more encouraging to any governor than the ability, dignity, cooperation, and sincere devotion which has typified the service of you both in this 1961 session of the Legislature. Through both of you I extend to all whose interest has been constructive and whose service has been productive, my highest praise and my heartfelt thanks.

To all of you, as you leave this seat of government for your homes, I extend Beverly's and my every good wish for your good health, your happiness, and your continuing interest in the betterment of the most beautiful, the most progressive, and the most sound sovereign state in the United States.

I have been informed by the joint committee of the Senate and House of Representatives that you have completed the business of the session. Therefore, now, by the authority vested in me as governor, I do hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord one thousand nine hundred and sixty-two.

On motion of Senator Monahan of the 5th District the Joint Convention rose.

The Chaplain, Reverend George Pennington, offered the Benediction as follows:

O Thou who dost govern the universe and whose laws determine the world which is our home, as we come to the end of this 137th Session of the General Court of New Hampshire there is much in our hearts. For the desire to compromise extreme positions in order to serve the interest of the people of our State, for harmony that overcame rigidity and egocentricity, for open-mindedness that pointed out a better way and prevailed amid intense opinion, for generosity and humility that made possible solutions to difficult problems . . . such accomplishments which testify to our fundamental desire to serve the cause of truth in equity and compassion we present as our glad offering to Thee. Where we have accomplished less than that of which we have been capable, let each of us be our own judge and find our own peace with Thee. Meanwhile, for friendships made and for gratification in having fulfilled opportunity for public service we are thankful, and with trust and assurance ask Thy blessing on all here who have provided leadership, on the membership of the General Court and on the continuing service of our Governor, his Council and our entire State Family. Amen.

By virtue of the proclamation of His Excellency, the Governor, the Chair declared the House of Representatives adjourned at 11:55 o'clock on Saturday, July 1, 1961, until the last Wednesday of December, 1962.

FRANCIS W. TOLMAN,
Clerk.

A true copy, Attest:
FRANCIS W. TOLMAN,
Clerk.

APPENDIX I

Final Disposition of Bills and Resolutions

HB 1, relative to state advertising.

Engrossed. Chapter 57, Laws of 1961.

HB 2, relative to eating places and correction of reference in statutes.

Killed.

HB 3, relative to definition of adulteration of milk and milk products.

Engrossed. Chapter 28, Laws of 1961.

HB 4, relative to radiation protection.

Engrossed. Chapter 60, Laws of 1961.

HB 5, relative to reports of inquests by medical referees.

Engrossed. Chapter 10, Laws of 1961.

HB 6, relative to improvements at Laconia State School.

Killed.

HB 7, abolishing school district of town of Dorchester and transfer education of children of town to state.

Killed.

HB 8, increasing salary of Grafton county attorney.

Engrossed. Chapter 107, Laws of 1961.

HB 9, relative to payment of expenses 1959 session of constitutional convention.

Engrossed. Chapter 180, Laws of 1961.

HB 10, prohibiting the sale of certain flammable liquids in glass containers.

Killed.

HB 11, relative to names of business corporations.

Engrossed. Chapter 1, Laws of 1961.

HB 12, regarding use of limited access highway.

Engrossed. Chapter 2, Laws of 1961.

HB 13, relative to classification of turnpike and interstate highways.

Engrossed. Chapter 4, Laws of 1961.

HB 14, relative to disposal of papers belonging to the Department of Public Works and Highways.

Killed.

HB 15, relative to transportation of cylinders of liquified petroleum gas.

Engrossed. Chapter 72, Laws of 1961.

HB 16, naming the Kancamagus Highway.

Engrossed. Chapter 184, Laws of 1961.

HB 17, relative to uniform season for taking and limiting number of male deer to be taken.

Killed.

HB 18, relative to reports to the commissioner of Public Works and Highways.

Engrossed. Chapter 5, Laws of 1961.

HB 19, providing funds for perambulation of Maine-New Hampshire boundary line.

Engrossed. Chapter 181, Laws of 1961.

HB 20, relative to classification of a road in Chatham.

Killed.

HB 21, regulating the practice of professional engineering.

Engrossed. Chapter 19, Laws of 1961.

HB 22, relative to state board of fire control.

Killed.

HB 23, relative to the sale of electrical appliances for agricultural uses.

Killed.

HB 24, to restrict outdoor advertising on interstate highway system.

Engrossed. Chapter 269, Laws of 1961.

HB 25, relative to expenditure of revenue from turnpikes.

Engrossed. Chapter 9, Laws of 1961.

HB 26, relative to auxiliary service roads and their classification.

Engrossed. Chapter 6, Laws of 1961.

HB 27, relative to emergency location of state and municipal government.

Engrossed. Chapter 54, Laws of 1961.

HB 28, relative to voting on town appropriation by ballot.

Killed.

HB 29, relative to observance of legal holidays within the state.

Killed.

HB 30, relative to disposition of fees received by board of chiropractic examiners.

Killed.

HB 31, providing for election of county commissioners for Belknap county.

Killed.

HB 32, relative to local civil defense emergencies.

Killed.

HB 33, establishing a run-off primary.

Killed.

HB 34, relative to publication of commercial code as a part of Revised Statutes.

Engrossed. Chapter 68, Laws of 1961.

HB 35, relative to damage to domestic live stock by hunters.

Killed.

HB 36, relative to transportation of deer.

Engrossed. Chapter 121, Laws of 1961.

HB 37, relative to method of taking wild deer in town of Durham.

Engrossed. Chapter 73, Laws of 1961.

HB 38, requiring licensed agents to furnish bond.

Killed.

HB 39, relative to forfeiture of fish or wild animals illegally imported into this state.

Engrossed. Chapter 11, Laws of 1961.

HB 40, appropriating for emergency search and rescue operations.

Killed.

HB 41, relative to radio system for fish and game department.

Killed.

HB 42, relative to property holding by the Nashua protestant home for aged women.

Engrossed. Chapter 313, Laws of 1961.

HB 43, relative to limitation on rate of interest on loans of over \$300.00.

Engrossed. Chapter 245, Laws of 1961.

HB 44, relative to forfeiture of fish and game not legally possessed.

Engrossed. Chapter 12, Laws of 1961.

HB 45, relative to voting machines in the city of Manchester.

Engrossed. Chapter 359, Laws of 1961.

HB 46, providing for salaries for classified state employees.

Engrossed. Chapter 221, Laws of 1961.

HB 47, amending benefits payable upon retirement.

Engrossed. Chapter 220, Laws of 1961.

HB 48, relative to skindivers.

Killed.

HB 49, providing for a town meeting to be held on two consecutive days.

Killed.

HB 50, relative to special fish and game licenses for non-resident members of the armed forces of the United States.

Engrossed. Chapter 167, Laws of 1961.

HB 51, relative to open seasons for taking fisher.

Engrossed. Chapter 147, Laws of 1961.

HB 52, to authorize towns to adopt fire prevention code by reference.

Killed.

HB 53, relative to meetings of the inter-department committee on welfare and institutions.

Engrossed. Chapter 61, Laws of 1961.

HB 54, designating the house of correction in Rockingham county as a jail.

Engrossed. Chapter 14, Laws of 1961.

HB 55, relative to mental treatment of juveniles.

Engrossed. Chapter 21, Laws of 1961.

HB 56, eliminating the requirement for certain reports to the state Board of Health.

Engrossed. Chapter 29, Laws of 1961.

HB 57, reducing bounty on bobcat.

Killed.

HB 58, establishing a division of records, management and archives.

Engrossed. Chapter 266, Laws of 1961.

HB 59, relating to Amoskeag Savings Bank.

Engrossed. Chapter 312, Laws of 1961.

HB 60, relative to the police department of the city of Dover.

Killed.

HB 61, changing the name of Union Insurance Company of America, Incorporated.

Engrossed. Chapter 315, Laws of 1961.

HB 62, relative to removal of prisoners from county jails.

Killed.

HB 63, providing one season for the taking of deer.

Engrossed. Chapter 254, Laws of 1961.

HB 64, relative to procedure establishing commercial code records in the office of the Secretary of State.

Engrossed. Chapter 97, Laws of 1961.

HB 65, relative to checklists for co-operative school districts.

Engrossed. Chapter 44, Laws of 1961.

HB 66, relative to fish and game licenses for certain non-resident property owners.

Killed.

HB 67, relative to taking beaver by use of traps.

Engrossed. Chapter 24, Laws of 1961.

HB 68, relative to open season for taking fisher by use of traps only.

Killed.

HB 69, relative to open season for the taking of beaver.

Killed.

HB 70, providing for the training of fire fighters.

Engrossed. Chapter 274, Laws of 1961.

HB 71, providing for a bounty on wolves.

Engrossed. Chapter 244, Laws of 1961.

HB 72, relative to folding and depositing ballots at elections.

Killed.

HB 73, relative to mileage allowances for members of the General Court.

Killed.

HB 74, providing for the election of county commissioners for the county districts of Sullivan county.

Killed.

HB 75, providing retirement system for employees of city of Berlin.

Engrossed. Chapter 350, Laws of 1961.

HB 76, providing for transportation aid to school districts.

Killed.

HB 77, relative to homicide and offenses against persons.

Killed.

HB 78, to provide penalty for obtaining telephone communications service fraudulently.

Engrossed. Chapter 22, Laws of 1961.

HB 79, relative to pari-mutuel pools at horse races.

Engrossed. Chapter 34, Laws of 1961.

HB 80, relative to fees and bonds for fish and game agents and eliminating the so-called stamp for fish and game licenses.

Killed.

HB 81, extending the provisions of law relative to an accelerated highway and construction and improvement program.

Engrossed. Chapter 169, Laws of 1961.

HB 82, giving injunctive relief for violations of water pollution commission orders.

Engrossed. Chapter 47, Laws of 1961.

HB 83, relative to salary of justice of Concord municipal court.

Engrossed. Chapter 15, Laws of 1961.

HB 84, relative to salary of special justice of Concord municipal court.

Engrossed. Chapter 16, Laws of 1961.

HB 85, making counties eligible for state aid for water pollution control.

Engrossed. Chapter 55, Laws of 1961.

HB 86, increasing state guarantee of municipal bonds issued for water pollution projects.

Engrossed. Chapter 182, Laws of 1961.

HB 87, relative to taxation of house trailers.

Engrossed. Chapter 41, Laws of 1961.

HB 88, relative to assistant superintendent.

Killed.

HB 89, relative to standards for classification of surface waters of the state.

Referred to Legislative Council.

HB 90, providing for publication of Commercial Code and reprinting of Volume 3 of Revised Statutes Annotated.

Killed.

HB 91, providing for reprinting Vol. 2 of Revised Statutes.

Killed.

HB 92, providing for cumulative pocket supplement for Revised Statutes Annotated.

Engrossed. Chapter 84, Laws of 1961.

HB 93, establishing within the office of the attorney-general a division of subversive investigation.

Killed.

HB 94, relative to violations of hunting laws by minors under 18 years.

Engrossed. Chapter 74, Laws of 1961.

HB 95, relative to emergency admissions to state hospital.
Engrossed. Chapter 37, Laws of 1961.

HB 96, relative to commitment, discharge and temporary absences of the mentally ill.

Engrossed. Chapter 38, Laws of 1961.

HB 97, providing for assessment and collection of special head tax for state purposes.

Engrossed. Chapter 43, Laws of 1961.

HB 98, relative to definition of unprotected birds.
Killed.

HB 99, relative to repeal of school per capita tax.
Referred to Interim Study Commission on Education.

HB 100, relative to education of children placed in homes for children.

Killed.

HB 101, to amend the charter of the city of Portsmouth.
Killed.

HB 102, relative to the sale of bottled alcoholic beverages.
Killed.

HB 103, naming Walter Swett Memorial Drive.
Killed.

HB 104, relative to a bridge in Plainfield.
Killed.

HB 105, making town meeting day a legal holiday.
Killed.

HB 106, relative to frozen desserts.
Engrossed. Chapter 83, Laws of 1961.

HB 107, relative to certain retired teachers in city of Manchester.

Engrossed. Chapter 346, Laws of 1961.

HB 108, relative to town of Hampton municipal development authority.

Engrossed. Chapter 358, Laws of 1961.

HB 109, exempting residents over 70 years of age from fishing license requirement.

Killed.

HB 110, increasing salary of the Rockingham County Attorney.

Killed.

HB 111, legalizing a special meeting of the town of Swanzy.

Killed.

HB 112, to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission.

Killed.

HB 113, relative to operation of Forest Hills Hotel in Franconia by trustees of the University of New Hampshire.

Engrossed. Chapter 23, Laws of 1961.

HB 114, relative to additional retirement allowances for certain retired teachers.

Engrossed. Chapter 85, Laws of 1961.

HB 115, relative to non-forfeiture benefits and reserve valuations of life insurance policies and contracts.

Engrossed. Chapter 75, Laws of 1961.

HB 116, relative to the duties of the board of chiropractic examiners.

Killed.

HB 117, relative to taxation of annuity premiums.

Engrossed. Chapter 115, Laws of 1961.

HB 118, relative to data processing systems.

Engrossed. Chapter 122, Laws of 1961.

HB 119, relative to loans by credit unions to its members.

Killed.

HB 120, relative to classification of certain surface waters of Piscataqua river watershed.

Engrossed. Chapter 40, Laws of 1961.

HB 121, relative to relocation of water supply required by construction of interstate highway system.

Killed.

HB 122, relative to protection of public water sources.
Engrossed. Chapter 35, Laws of 1961.

HB 123, to repeal capitol reserve fund for public library annex in Nashua.

Engrossed. Chapter 321, Laws of 1961.

HB 124, to establish a department of safety.

Engrossed. Chapter 166, Laws of 1961.

HB 125, relative to licensing of auctioneers.

Killed.

HB 126, authorizing selectmen and city councils to lay out limited access highways.

Engrossed. Chapter 25, Laws of 1961.

HB 127, repealing minimum wage provisions for employees in public works.

Killed.

HB 128, establishing unauthorized insurers false advertising process act.

Engrossed. Chapter 48, Laws of 1961.

HB 129, relative to installing public telephones on streets and public ways.

Engrossed. Chapter 26, Laws of 1961.

HB 130, relative to uniform season for taking deer.

Killed.

HB 131, relative to chemical test for intoxication.

Referred to the Judicial Council.

HB 132, changing the name Cressent Island in Lake Winnebago to Little Six Mile Island.

Engrossed. Chapter 42, Laws of 1961.

HB 133, relative to certain deposit accounts in savings banks.

Engrossed. Chapter 195, Laws of 1961.

HB 134, reducing from 70 to 68 the age at which licenses to fish and hunt may be issued to residents without payment of fee.

Killed.

HB 135, requiring county commissioners to obtain written authority from Executive Committee for appropriation transfers.

Engrossed. Chapter 142, Laws of 1961.

HB 136, relative to mileage rate for state employees using private cars.

Killed.

HB 137, extending time during which an act relative to a certain bridge over Merrimack River shall be effective.

Engrossed. Chapter 86, Laws of 1961.

HB 138, relative to certificate and copies furnished by filing officer under Uniform Commercial Code and fees therefor.

Engrossed. Chapter 112, Laws of 1961.

HB 139, relating to presumption in alleged motor vehicle violations.

Killed.

HB 140, to repeal the tax on savings deposit and substitute another form of taxation therefor.

Killed.

HB 141, relating to jurisdiction of motor vehicle offense.

Killed.

HB 142, prohibiting hunt and use of firearms in town of New Castle.

Engrossed. Chapter 123, Laws of 1961.

HB 143, relating to violation of boating laws by juveniles.

Killed.

HB 144, relative to Dartmouth college trustees.

Engrossed. Chapter 320, Laws of 1961.

HB 145, relative to purchases by Soldiers Home.

Engrossed. Chapter 3, Laws of 1961.

HB 146, amending the charter of the city of Keene.

Engrossed. Chapter 316, Laws of 1961.

HB 147, relative to eligibility for release on parole at expiration of minimum term.

Engrossed. Chapter 62, Laws of 1961.

HB 148, relative to classification of certain highways in town of Bedford and New Boston.

Engrossed. Chapter 87, Laws of 1961.

HB 149, relative to salary of Justice of the Dover municipal court.

Engrossed. Chapter 124, Laws of 1961.

HB 150, to provide for a study of public access to the public lakes and ponds of the state over ten acres in extent.

Killed.

HB 151, to permit State Library commission to enter into agreements or compacts.

Engrossed. Chapter 63, Laws of 1961.

HB 152, relative to collection of taxes on real estate when such sale is of less than the whole estate.

Engrossed. Chapter 30, Laws of 1961.

HB 153, exempting mature timber from taxation when owned by municipality.

Killed.

HB 154, relative to ranch bred mink.

Engrossed. Chapter 125, Laws of 1961.

HB 155, enlarging or reducing membership of school boards.

Engrossed. Chapter 45, Laws of 1961.

HB 156, relative to clerk hire in the office of the sheriff of Strafford.

Killed.

HB 157, relative to retired members of the policemen's retirement system.

Engrossed. Chapter 183, Laws of 1961.

HB 158, relative to policemen's retirement system, 25 year plan.

Engrossed. Chapter 191, Laws of 1961.

HB 159, to rehabilitate the Sunapee State Park sinking fund.

Engrossed. Chapter 214, Laws of 1961.

HB 160, relative to the sale of bottled liquor.

Killed.

HB 161, relative to officers of the N. H. State Port Authority.

Killed.

HB 162, authorizing the acquisition of a parking area in Concord for the General Court.

Killed.

HB 163, to repeal free fish and game licenses for resident members.

Engrossed. Chapter 161, Laws of 1961.

HB 164, relative to acquisition of land for propagation of game.

Engrossed. Chapter 102, Laws of 1961.

HB 165, relative to expenditure of state appropriations.

Engrossed. Chapter 256, Laws of 1961.

HB 166, relative to the library building at the University of New Hampshire.

Killed.

HB 167, relative to the cancellation of accident and health policies.

Killed.

HB 168, relative to policy fees for accident and health insurance.

Killed.

HB 169, relative to salaries of state employees.

Killed.

HB 170, establishing the office of judicial referee.

Engrossed. Chapter 174, Laws of 1961.

HB 171, relative to unemployment compensation.

Engrossed. Chapter 88, Laws of 1961.

HB 172, relating to issuance of duplicate fish and game licenses.

Engrossed. Chapter 162, Laws of 1961.

HB 173, requiring approval of election of members of managing boards of savings banks and trust companies by Bank.
Referred to Legislative Council.

HB 174, relative to salary of sheriff of Rockingham county.
Engrossed. Chapter 175, Laws of 1961.

HB 175, relative to entrance fees of credit unions.
Engrossed. Chapter 156, Laws of 1961.

HB 176, relative to motor vehicle permits.
Killed.

HB 177, legalizing biennial election of 1960 in town of New Ipswich.
Engrossed. Chapter 317, Laws of 1961.

HB 178, to prohibit discrimination in places of public accommodation.
Engrossed. Chapter 219, Laws of 1961.

HB 179, relative to divisions of the state for the taking of wild deer.
Killed.

HB 180, to increase the terms of office of the clerk and the treasurer of the city of Nashua.
Engrossed. Chapter 335, Laws of 1961.

HB 181, relative to the taking of deer.
Killed.

HB 182, to increase parliamentary rights of the Mayor of Nashua.
Killed.

HB 183, limiting the taking of deer to certain sections of the state.
Killed.

HB 184, relative to commitment of minors to the industrial school.
Killed.

HB 185, relative to the issuance of short term loans for highway purposes.
Engrossed. Chapter 185, Laws of 1961.

HB 186, relative to licensing and bond for poultry dealers.
Engrossed. Chapter 143, Laws of 1961.

HB 187, authorizing establishment of interstate school district by Hanover, N. H. and Norwich, Vt.
Engrossed. Chapter 116, Laws of 1961.

HB 188, amending the charter of the city of Somersworth.
Engrossed. Chapter 352, Laws of 1961.

HB 189, relating to the salaries of the Rockingham County commissioners.
Engrossed. Chapter 210, Laws of 1961.

HB 190, in amendment of chapter 328, Laws of 1951, creating the N. H. Business Development Commission.
Engrossed. Chapter 332, Laws of 1961.

HB 191, relating to poll taxes.
Killed.

HB 192, relative to open season for taking deer.
Killed.

HB 193, to redistrict the state into councilor districts.
Killed.

HB 194, relative to mutual savings banks.
Killed.

HB 195, relative to motor vehicle accident reports.
Killed.

HB 196, relative to total population figure at the Laconia State School.
Engrossed. Chapter 103, Laws of 1961.

HB 197, relative to payment of commissioners by insurance companies.
Killed.

HB 198, relative to sale of liquor and beverages on Sundays and on election days while polls are open.
Engrossed. Chapter 148, Laws of 1961.

HB 199, relative to the salaries of Mayor and Councilmen of the city of Franklin.
Engrossed. Chapter 348, Laws of 1961.

HB 200, to redistrict the state for the purpose of choosing representatives in Congress.

Referred to the Legislative Council.

HB 201, providing for classification of surface waters of the Lake Massabesic watershed and the Miller River watershed.

Engrossed. Chapter 163, Laws of 1961.

HB 202, relative to use of motor vehicles used exclusively for camping purposes.

Killed.

HB 203, relative to bounties for porcupines.

Engrossed. Chapter 262, Laws of 1961.

HB 204, relative to banks and building and loan associations.

Engrossed. Chapter 136, Laws of 1961.

HB 205, relative to sale of gasoline at retail.

Killed.

HB 206, relative to construction of state armories.

Engrossed. Chapter 268, Laws of 1961.

HB 207, to establish Lake Sunapee region plan authority.

Engrossed. Chapter 66, Laws of 1961.

HB 208, relative to revocation of hunting and fishing licenses.

Engrossed. Chapter 104, Laws of 1961.

HB 209, to clarify and make more uniform the laws relating to banking and to make certain technical amendments thereto.

Engrossed. Chapter 248, Laws of 1961.

HB 210, relative to cooperative school districts.

Engrossed. Chapter 206, Laws of 1961.

HB 211, increasing the rate for minimum wages.

Killed.

HB 212, repealing the bond and debt retirement tax on wood and timber.

Killed.

HB 213, to provide for employment and salaries of professional personnel of the state board of education and of the institutions supervised by it.

Referred to interim study committee.

HB 214, relative to issuance of licenses for the operation of motor scooters.

Killed.

HB 215, relative to reimbursement of assistance fund.

Killed.

HB 216, relative to services of supervisory unions.

Referred to interim study committee on Education.

HB 217, relative to permanently and totally disabled persons.

Killed.

HB 218, relative to employee wage rates on school district construction projects.

Referred to Legislative Council.

HB 219, relative to salary for register of deeds for Cheshire county.

Killed.

HB 220, relative to open season for taking raccoons.

Killed.

HB 221, relative to driving while under influence of intoxicating liquors.

Killed.

HB 222, regulating and providing for selling and serving milk.

Engrossed. Chapter 138, Laws of 1961.

HB 223, relative to construction of dormitory for women and the University of New Hampshire and to be liquidated from income.

Engrossed. Chapter 192, Laws of 1961.

House Bill No. 224, relative to Amherst School District.

Engrossed. Chapter 318, Laws of 1961.

HB 225, relative to state guarantee of mortgages on industrial buildings.

Engrossed. Chapter 246, Laws of 1961.

HB 226, providing for closed season on black bear.

Engrossed. Chapter 126, Laws of 1961.

HB 227, relative to construction of physical education building at the University of New Hampshire.

Killed.

HB 228, relative to immunities of members of the National Guard.

Engrossed. Chapter 64, Laws of 1961.

HB 229, relative to acquisition of Adams property in Durham for development of wildlife management areas.

Engrossed. Chapter 209, Laws of 1961.

HB 230, relative to liability for education of children in foster homes.

Engrossed. Chapter 250, Laws of 1961.

HB 231, relative to salary of justice of Northumberland municipal court.

Engrossed. Chapter 67, Laws of 1961.

HB 232, relative to liability of landowners.

Engrossed. Chapter 201, Laws of 1961.

HB 233, relative to taxation of fallout shelters.

Engrossed. Chapter 49, Laws of 1961.

HB 234, prohibiting solicitations from candidates for election.

Killed.

HB 235, to include wild animals with respect to open seasons.

Engrossed. Chapter 188, Laws of 1961.

HB 236, relative to qualifications for board of assessors for city of Rochester.

Killed.

HB 237, relative to cooperative school district incentive aid.

Referred to Interim study commission on Education.

HB 238, relative to purchase of life and health insurance by towns for town employees.

Engrossed. Chapter 324, Laws of 1961.

HB 239, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of city of Berlin and dependents.

Killed.

HB 240, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of Laconia and their dependents.

Referred to Legislative Council.

HB 241, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of Claremont and their dependents.

Engrossed. Chapter 349, Laws of 1961.

HB 242, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of Concord and their dependents.

Referred to Legislative Council.

HB 243, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of Portsmouth and their dependents.

Referred to Legislative Council.

HB 244, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of Lebanon and their dependents.

Referred to Legislative Council.

HB 245, relative to life, accident, medical, surgical and hospitalization insurance benefits for employees of Manchester and Nashua and dependents.

Referred to Legislative Council.

HB 246, relative to absentee voting.

Engrossed. Chapter 76, Laws of 1961.

HB 247, relative to sale of real estate for nonpayment of taxes.

Killed.

HB 248, to provide for a surcharge on sale of liquors to assist county finance.

Killed.

HB 249, relative to financing of insurance agents.

Killed.

HB 250, relative to certain insurance companies engaging in other business.

Killed.

HB 251, prohibiting hunting on Wednesday.

Killed.

HB 252, relative to driving deer.

Killed.

HB 253, relative to premium charges to debtors for group credit life and health insurance.

Killed.

HB 254, relative to sale of horses for slaughter.

Engrossed. Chapter 78, Laws of 1961.

HB 255, relative to care of railroad right of ways.

Killed.

HB 256, relative to technical institutes and vocational technical schools.

Engrossed. Chapter 267, Laws of 1961.

HB 257, establishing a police commission for the city of Franklin.

Killed.

HB 258, relative to personnel advisory board of city of Portsmouth.

Killed.

HB 259, relative to election of county commissioners for Merrimack county.

Killed.

HB 260, relative to damage to game and hunting with dogs.

Engrossed. Chapter 149, Laws of 1961.

HB 261, relative to use of poison for control of certain birds.

Killed.

HB 262, relative to disposal of lumber slash.

Killed.

HB 263, relative to fire department of city of Franklin and salary of city treasurer.

Engrossed. Chapter 322, Laws of 1961.

HB 264, relative to constitutional conventions.

Engrossed. Chapter 176, Laws of 1961.

HB 265, relative to penalties for illegal operation of boats.

Engrossed. Chapter 127, Laws of 1961.

HB 266, relative to operation of motor boats on Little Diamond Pond.

Killed.

HB 267, relative to aircraft service operator certificate.

Engrossed. Chapter 89, Laws of 1961.

HB 268, relative to community antenna television systems.

Killed.

HB 269, relative to financing industrial waste treatment facilities.

Engrossed. Chapter 120, Laws of 1961.

HB 270, relative to motor vehicle registration and license fees.

Killed.

HB 271, relative to repair of Bedell Bridge by town of Haverhill.

Killed.

HB 272, relative to purchase of intoxicating beverages.

Referred to Legislative Council.

HB 273, relative to trust companies.

Engrossed. Chapter 150, Laws of 1961.

HB 274, relative to salaries of mayor and board of aldermen of city of Nashua.

Killed.

HB 275, relative to establishing time and one-half for overtime work performed by state employees.

Killed.

HB 276, relative to purchase of milk for resale or manufacture.

Engrossed. Chapter 128, Laws of 1961.

HB 277, relative to grading, packing, shipping and sale of apples.

Engrossed. Chapter 139, Laws of 1961.

HB 278, relative to abolishing the legislative council.

Killed.

HB 279, relative to supervisory unions and teacher consultants.

Engrossed. Chapter 196, Laws of 1961.

HB 280, relative to civil defense fire and rescue training center.

Engrossed. Chapter 216, Laws of 1961.

HB 281, relative to repeal of real estate brokers licensing law.

Killed.

HB 282, relative to the taxation of boats.

Engrossed. Chapter 270, Laws of 1961.

HB 283, relative to motor vehicles parked on street or public parking areas.

Killed.

HB 284, relative to reaching bank accounts by trustee process.

Referred to Judicial Council.

HB 285, relative to improvement and maintenance of section of highway and bridge between Northumberland and Guildhall, Vermont.

Killed.

HB 286, relative to motor carriers of property.

Killed.

HB 287, requiring registration for physical therapists.

Referred to the Legislative Council.

HB 288, relative to rules and regulations and permit fees for receiving stations for milk.

Engrossed. Chapter 129, Laws of 1961.

HB 289, relative to budget message of mayor of city of Nashua.

Killed.

HB 290, to create a bank advisory board.

Engrossed. Chapter 278, Laws of 1961.

HB 291, relative to discharging firearms.

Killed.

HB 292, relative to improvement to highway in Jaffrey.

Killed.

HB 293, relative to issue of bonds or notes by a school district.

Killed.

HB 294, relative to increasing mileage allowances for state employees.

Killed.

HB 295, relative to future water supplies for city of Manchester.

Engrossed. Chapter 344, Laws of 1961.

HB 296, relative to interest charges on home mortgage loans.

Engrossed. Chapter 255, Laws of 1961.

HB 297, relative to school buses.

Engrossed. Chapter 251, Laws of 1961.

HB 298, relative to limit period for which past due support of institutional inmates may be recovered and rate for support of inmates at Laconia State School.

Killed.

HB 299, relative to daylight saving time.

Killed.

HB 300, relative to regulation of small loans.

Engrossed. Chapter 340, Laws of 1961.

HB 301, relative to salaries of members of Manchester finance commission.

Killed.

HB 302, relative to salaries of members of school committee of city of Manchester.

Killed.

HB 303, relative to disclosure of finance charges in connection with extension of credit.

Killed.

HB 304, relative to term of office and salary of mayor of city of Manchester.

Killed.

HB 305, relative to salaries of aldermen of Manchester.

Killed.

HB 306, relative to closing Stonehouse Pond in Barrington to power boats.

Killed.

HB 307, relative to withdrawal of state from interstate compact on mental health.

Killed.

HB 308, relative to released time for music instruction.

Engrossed. Chapter 98, Laws of 1961.

HB 309, awarding prizes by life insurance companies.

Killed.

HB 310, relative to age of children brought before a juvenile court.

Killed.

HB 311, relative to permit waiver of hearings before public utilities commission when all parties are in agreement.

Engrossed. Chapter 130, Laws of 1961.

HB 312, relative to holidays.

Killed.

HB 313, relative to installment sales of motor vehicles.

Killed.

HB 314, repealing taxation of domestic rabbits.

Killed.

HB 315, repealing the taxation of furbearing animals.

Killed.

HB 316, exempting oxen from taxation.

Killed.

HB 317, repealing the taxation of boats.

Killed.

HB 318, relative to the taxation of bowling alleys.

Killed.

HB 319, repealing taxation of sheep, goats and hogs.

Killed.

HB 320, relative to commissions paid to agents by insurance companies.

Killed.

HB 321, relative to penalty for failure of insurance companies to pay claims.

Killed.

HB 322, relative to payment of claims by insurance companies.

Killed.

HB 323, defining agriculture, farming and farms.

Engrossed. Chapter 140, Laws of 1961.

HB 324, relative to registration and licensing of guides.

Engrossed. Chapter 190, Laws of 1961.

HB 325, to prohibit discharge of firearms in vicinity of buildings.

Killed.

HB 326, relative to election of county commissioners on a rotating basis.

Killed.

HB 327, relative to registration of tax appraisers.

Engrossed. Chapter 90, Laws of 1961.

HB 328, relative to salaries of Hillsborough County commissioners.

Engrossed. Chapter 157, Laws of 1961.

HB 329, relating to life insurance and annuity business; limitation of expenses.

Killed.

HB 330, relative to Concord city charter.

Killed.

HB 331, relative to administration of small estates.

Engrossed. Chapter 108, Laws of 1961.

HB 332, relative to liability for violation of law of the road.

Engrossed. Chapter 109, Laws of 1961.

HB 333, relative to appeals from municipal courts.

Engrossed. Chapter 131, Laws of 1961.

HB 334, relative to bounties on fox.

Killed.

HB 335, to establish uniform minimum compensation for maintenance and care of dependent children in homes for children.

Killed.

HB 336, relative to sale of ice cream by weight.

Killed.

HB 337, relative to charter of Orford Fire Engine Company.

Killed.

HB 338, providing a bounty for killing rattlesnakes.

Killed.

HB 339, relative to marking fishing holes cut in ice on Great Bay.

Killed.

HB 340, relative to use of motor vehicles in connection with crimes or offenses.

Killed.

HB 341, relative to publication of fish and game rules and regulations.

Killed.

HB 342, relative to taking salmon through the ice.

Killed.

HB 343, relative to classification of highway in town of Goffstown and city of Manchester.

Engrossed. Chapter 160, Laws of 1961.

HB 344, relative to naming an interstate highway.

Killed.

HB 345, relative to providing for control of aquatic nuisances on Lake Winnisquam.

Engrossed. Chapter 178, Laws of 1961.

HB 346, establishing a department of resources and economic development merging Planning and Development, Forestry and Recreation.

Engrossed. Chapter 223, Laws of 1961.

HB 347, requiring voting of county budgets annually.

Engrossed. Chapter 202, Laws of 1961.

HB 348, increasing rate for minimum wages.

Killed.

HB 349, authorizing appointment of additional assistant superintendent of schools for city of Manchester.

Killed.

HB 350, relative to liability in operation of air navigation facilities.

Killed.

HB 351, relative to members of the racing commission.

Killed.

HB 352, relative to appeals for permanent state employees.

Engrossed. Chapter 117, Laws of 1961.

HB 353, relative to election of members of Union School District in Concord.

Engrossed. Chapter 355, Laws of 1961.

HB 354, relating to the disinfection of public water supply system.

Engrossed. Chapter 211, Laws of 1961.

HB 355, relative to classification of certain surface waters of Otter Brook watershed.

Engrossed. Chapter 99, Laws of 1961.

HB 356, relative to processed lobster meat.

Engrossed. Chapter 145, Laws of 1961.

HB 357, relative to filling vacancy in office of town clerk.

Killed.

HB 358, relative to pulling of lobster traps, pots and devices and certain hours.

Killed.

HB 359, relative to sale of quail.

Engrossed. Chapter 132, Laws of 1961.

HB 360, relative to contractors carrying workmen's compensation for contracts for janitorial services for state buildings.

Killed.

HB 361, relative to maximum size for lobsters.

Killed.

HB 362, relative to extra facility licenses for sale of lobster meat.

Engrossed. Chapter 146, Laws of 1961.

HB 363, relative to education for intellectually retarded children.

Engrossed. Chapter 226, Laws of 1961.

HB 364, relative to school attendance.

Referred to Interim Study Committee on Education.

HB 365, relative to uniform fee for lobster licenses.

Killed.

HB 366, relative to motor vehicle sales finance.

Engrossed. Chapter 193, Laws of 1961.

HB 367, relative to cancellation of certain insurance policies.

Killed.

HB 368, relative to sales of liquor and beverages by hotels.

Engrossed. Chapter 218, Laws of 1961.

HB 369, relative to salaries of officers of domestic insurance companies.

Killed.

HB 370, relative to taking lobsters.

Killed.

HB 371, relative to tobacco tax.

Killed.

HB 372, relative to municipal elections in city of Manchester.

Engrossed. Chapter 338, Laws of 1961.

HB 373, making appropriations for expenses of certain departments of state for year ending June 30, 1962.

Engrossed. Chapter 224, Laws of 1961.

HB 374, making appropriations for expenses of certain departments of state for year ending June 30, 1963.

Engrossed. Chapter 225, Laws of 1961.

HB 375, to license and regulate business making loans in sums of \$2,500 or less at greater rate of charge than 6%.

Killed.

HB 376, relative to small loans.

Killed.

HB 377, to provide for expansion of state park system.

Engrossed. Chapter 263, Laws of 1961.

HB 378, providing for referendum for dissolving Hillsboro Bridge Village Fire Precinct and transfer functions to town of Hillsborough.

Killed.

HB 379, relative to lapses of industrial life insurance policies.

Killed.

HB 380, relative to salary of register of deeds for Hillsborough County.

Killed.

HB 381, repealing taxation of livestock and poultry.

Killed.

HB 382, relative to construction of a dining hall and University of New Hampshire, cost to be liquidated from income.

Engrossed. Chapter 197, Laws of 1961.

HB 383, relative to protecting employees participating in contributory group insurance.

Killed.

HB 384, establishing a board on academic degrees.

Referred to Interim Study Committee on Education.

HB 385, authorizing superintendent of state police to establish a police training school.

Killed.

HB 386, safeguarding persons and property and promoting welfare of public by creating electrical administering board of state of New Hampshire and present duties, to establish standards for election.

Referred to Legislative Council.

HB 387, adopting uniform securities ownership by minors act.

Killed.

HB 388, adopting uniform act on paternity.

Referred to Judicial Council.

HB 389, relative to acknowledgments by persons serving in armed forces or their dependents.

Engrossed. Chapter 133, Laws of 1961.

HB 390, providing citizens' job protection.

Killed.

HB 391, relative to optional allowances under the teachers' retirement system.

Killed.

HB 392, relative to disposition of professional fees.

Killed.

HB 393, relative to assessments by insurance firms.

Engrossed. Chapter 234, Laws of 1961.

HB 394, relative to reinstatement of insurance policies.

Killed.

HB 395, relative to free registration number plates for emergency vehicles.

Engrossed. Chapter 252, Laws of 1961.

HB 396, to incorporate New Hampshire Dental Service Corporation.

Engrossed. Chapter 345, Laws of 1961.

HB 397, relative to longevity for legislative attaches.

Killed.

HB 398, relative to health insurance for state employees.

Killed.

HB 399, relative to certain obligations of married minors.

Killed.

HB 400, relative to falsifying of age by minors in connection with purchase of motor vehicles.

Killed.

HB 401, relative to Cooperative arrangements between towns for recreational facilities.

Engrossed. Chapter 118, Laws of 1961.

HB 402, relative to credit unions.

Engrossed. Chapter 258, Laws of 1961.

HB 403, establishing a branch bank in Goffstown.

Referred to Interim Bank Committee.

HB 404, relative to salary for register of deeds for Merrimack county.

Killed.

HB 405, relative to prohibiting agreements for compulsory retirement.

Killed.

HB 406, providing for acquisition of certain dams and water rights by Water Resources Board.

Killed.

HB 407, relative to Workmen's compensation law.

Engrossed. Chapter 194, Laws of 1961.

HB 408, relative to duties of selectmen.

Killed.

HB 409, relative to election of school district officers at town meeting.

Engrossed. Chapter 134, Laws of 1961.

HB 410, relative to training in safe handling of firearms by certain minors.

Engrossed. Chapter 177, Laws of 1961.

HB 411, relative to appointment of ballot inspectors in the city of Claremont.

Engrossed. Chapter 232, Laws of 1961.

HB 412, relative to additional grants of school building aid.
Engrossed. Chapter 265, Laws of 1961.

HB 413, making possible for trustees and custodians to invest in life insurance endowment and annuity contracts.
Engrossed. Chapter 212, Laws of 1961.

HB 414, providing for an additional appropriation for expenses of the legislature.
Engrossed. Chapter 58, Laws of 1961.

HB 415, relative to fees for private boat registration.
Engrossed. Chapter 164, Laws of 1961.

HB 416, relative to members of the Canterbury School Board.

Referred to Interim Study Committee on Education.

HB 417, relative to reclassification of roads in Colebrook and Stewartstown.
Engrossed. Chapter 170, Laws of 1961.

HB 418, relative to legislative mileage.
Engrossed. Chapter 203, Laws of 1961.

HB 419, relative to salaries of registers and deputy registers of probate.
Engrossed. Chapter 279, Laws of 1961.

HB 420, relative to unemployment compensation.
Engrossed. Chapter 228, Laws of 1961.

HB 421, declaring any community antenna television to be public utility and prohibiting such public utility from selling or servicing certain appliances.
Killed.

HB 422, providing for the abolition of the milk control board.
Killed.

HB 423, relative to discharge of firearms while hunting near dwellings and on or near public or private ways.
Killed.

HB 424, relative to supervisors of check-lists.
Killed.

HB 425, providing for the date of processing to be inscribed in milk containers.

Killed.

HB 426, relative to sewerage system at the Laconia State School.

Killed.

HB 427, relative to minimum wage law.

Killed.

HB 428, relative to railroad crossings.

Killed.

HB 429, relative to representative town meeting government.

Engrossed. Chapter 241, Laws of 1961.

HB 430, relative to use of municipal bond proceeds.

Killed.

HB 431, relative to exemption from property taxes of certain parts of the state airways system.

Killed.

HB 432, legalizing the annual town meeting held in town of Exeter, March 14, 1961.

Engrossed. Chapter 353, Laws of 1961.

HB 433, legalizing proceedings of annual school district meeting held in town of Northwood.

Engrossed. Chapter 327, Laws of 1961.

HB 434, relative to selection of public utilities commissioners.

Killed.

HB 435, relative to observation of Veterans Day.

Killed.

HB 436, authorizing cities and towns to construct moving sidewalks.

Engrossed. Chapter 168, Laws of 1961.

HB 437, relative to New Hampshire Forest Highway.

Killed.

HB 438, legalizing proceedings of the annual school district meeting held in town of Antrim on March 13, 1961.

Engrossed. Chapter 328, Laws of 1961.

HB 439, relative to conduct of sweepstake races and the sale of tickets thereon.

Killed.

HB 440, relative to bob houses.

Killed.

HB 441, relative to salary for the register of deeds for Rockingham County.

Killed.

HB 442, relative to the licensing of real estate brokers and salesmen.

Engrossed. Chapter 213, Laws of 1961.

HB 443, relative to agreements with the University of Vermont.

Engrossed. Chapter 198, Laws of 1961.

HB 444, legalizing Walpole Village District meeting held on April 7, 1961.

Engrossed. Chapter 329, Laws of 1961.

HB 445, legalizing Walpole Fire District meeting held on April 7, 1961.

Engrossed. Chapter 330, Laws of 1961.

HB 446, relative to motor vehicle fees.

Killed.

HB 447, relative to use of funds by credit unions.

Engrossed. Chapter 215, Laws of 1961.

HB 448, relative to the director of special health services.

Killed.

HB 449, relative to term of office of members of the state soil conservation committee.

Engrossed. Chapter 242, Laws of 1961.

HB 450, relative to the maintenance of bridges on Class II highways.

Killed.

HB 451, relative to maintenance allotment by the state for Class IV and V highways.

Killed.

HB 452, relative to additional payments to state employees receiving workmen's compensation.

Killed.

HB 453, relative to an assistant deputy register of probate for Hillsborough county.

Killed.

HB 454, relative to certain motor vehicle road toll refunds and registration fees.

Killed.

HB 455, relative to the restraining of dogs.

Killed.

HB 456, relating to taxation of banks.

Killed.

HB 457, legalizing the proceedings of the annual school district meeting held in the town of Auburn on March 10, 1961.

Engrossed. Chapter 334, Laws of 1961.

HB 458, relative to the practice of law.

Killed.

HB 459, providing for the acquisition of certain dams and water rights by the water resources board.

Killed.

HB 460, relative to taxation of railroads.

Killed.

HB 461, naming an Interstate Highway.

Engrossed. Chapter 119, Laws of 1961.

HB 462, imposing taxes on meals and rooms.

Killed.

HB 463, to incorporate the inhabitants of the easterly part of Lisbon into a separate town with all the privileges and immunities of other towns in this state.

Engrossed. Chapter 360, Laws of 1961.

HB 464, relative to licenses for taking clams and oysters.

Engrossed. Chapter 186, Laws of 1961.

HB 465, establishing marriage counseling service.
Engrossed. Chapter 276, Laws of 1961.

HB 466, relative to county conventions.
Engrossed. Chapter 199, Laws of 1961.

HB 467, imposing a tax on the sale of liquor by the glass.
Killed.

HB 468, relative to Souhegan River Watershed Project.
Engrossed. Chapter 253, Laws of 1961.

HB 469, establishing a division of actuarial services within the department of the legislative budget assistant.
Killed.

HB 470, providing for special motor vehicle number plates for certain legislative employees.
Killed.

HB 471, relative to the salaries of the secretary of state and the state treasurer.
Killed.

HB 472, prohibiting hunting in the town of Newington except under certain conditions.
Killed.

HB 473, relative to the state council on aging.
Engrossed. Chapter 277, Laws of 1961.

HB 474, to increase the salary of the clerk of the Manchester municipal court.
Killed.

HB 475, providing for the taxation of banks.
Engrossed. Chapter 249, Laws of 1961.

HB 476, changing the name of the N. H. Tuberculosis Association.
Engrossed. Chapter 337, Laws of 1961.

HB 477, to redistrict the state into senatorial districts.
Engrossed. Chapter 273, Laws of 1961.

HB 478, relative to a bridge over the Merrimack River at Nashua.
Killed.

HB 479, relative to live entertainment in places where liquor or beverages are sold.

Killed.

HB 480, relating to the election of representatives to the General Court.

Engrossed. Chapter 275, Laws of 1961.

HB 481, relative to hospital insurance and service contracts.

Killed.

HB 482, to revise the charter of the city of Nashua.

Engrossed. Chapter 356, Laws of 1961.

HB 483, making appropriations for capital improvements, long term repairs and maintenance for the state of New Hampshire.

Engrossed. Chapter 264, Laws of 1961.

HB 484, authorizing the appointment of a consultant to the commissioner of safety.

Engrossed. Chapter 243, Laws of 1961.

HB 485, relative to sale of beverages on Sundays by off-sale permittees.

Killed.

HB 486, providing additional appropriation for expenses of the Legislature.

Engrossed. Chapter 200, Laws of 1961.

HB 487, creating the Nashua Airport Authority.

Engrossed. Chapter 343, Laws of 1961.

HB 488, relative to the salary of the mayor of Dover.

Engrossed. Chapter 354, Laws of 1961.

HOUSE JOINT RESOLUTIONS

HJR 1, providing an appropriation for the Civil War Centennial Commission.

Engrossed. Chapter 302, Laws of 1961.

HJR 2, relative to office space for the bank commissioner.
Killed.

HJR 3, providing funds for state nursing scholarship program.

Engrossed. Chapter 310, Laws of 1961.

HJR 4, relative to funds for Eastern New Hampshire turnpike.

Engrossed. Chapter 286, Laws of 1961.

HJR 5, in favor of Harry Hurlbert.

Engrossed. Chapter 285, Laws of 1961.

HJR 6, relative to appropriation for carrying out provisions relative to regional agreements for educational facilities for New Hampshire residents.

Engrossed. Chapter 284, Laws of 1961.

HJR 7, to provide increased funds for geologic surveying.
Killed.

HJR 8, relative to New Hampshire Veterans Association.

Engrossed. Chapter 287, Laws of 1961.

HJR 9, providing an appropriation toward reconstruction of Fort at Number Four.

Killed.

HJR 10, relative to control of Dutch elm disease.

Killed.

HJR 11, providing for study of salaries of unclassified positions in state service.

Engrossed. Chapter 281, Laws of 1961.

HJR 12, providing for taking the sense of the legal voters of the state on question of calling a constitutional convention.

Killed.

HJR 13, authorizing a study of the operation of the milk control act.

Engrossed. Chapter 299, Laws of 1961.

HJR 14, providing for live wild animal display at Mt. Sunapee State Park.

Killed.

HJR 15, providing funds for completion of forest conservation aid payments.

Engrossed. Chapter 303, Laws of 1961.

HJR 16, in favor of Wilbur J. Little.

Engrossed. Chapter 298, Laws of 1961.

HJR 17, in favor of Rita Collyer.

Engrossed. Chapter 297, Laws of 1961.

HJR 18, relative to the operating expenses of educational television station WENH-TV, Channel 11, Durham, N. H.

Engrossed. Chapter 309, Laws of 1961.

HJR 19, making appropriation for the state house first aid room.

Killed.

HJR 20, relative to equipment for Hampton Beach.

Killed.

HJR 21, relative to appropriation for Glencliff Sanatorium.

Killed.

HJR 22, in favor of Florence Pushee.

Engrossed. Chapter 293, Laws of 1961.

HJR 23, in favor of estate of James McCullough.

Engrossed. Chapter 283, Laws of 1961.

HJR 24, in favor of certain persons in town of Sanbornton.

Killed.

HJR 25, providing supplemental appropriation for school building aid.

Engrossed. Chapter 304, Laws of 1961.

HJR 26, in favor of Priscilla Morneau.

Engrossed. Chapter 295, Laws of 1961.

HJR 27, in favor of county of Merrimack.

Killed.

HJR 28, relative to operation and maintenance of Fort Dearborn State Park.

Engrossed. Chapter 305, Laws of 1961.

HJR 29, relative to study of credit life and credit accident and health insurance.

Killed.

HJR 30, providing special equipment to be used in search for lost persons.

Engrossed. Chapter 300, Laws of 1961.

HJR 31, in favor of Nathan and Leona Mace.

Engrossed. Chapter 292, Laws of 1961.

HJR 32, in favor of Leon J. Brown.

Killed.

HJR 33, in favor of estate of Herbert A. Willard.

Engrossed. Chapter 289, Laws of 1961.

HJR 34, providing for a study into the feasibility of state participation in cost of group insurance for state employees.

Engrossed. Chapter 306, Laws of 1961.

HJR 35, relative to the study of aquatic nuisances.

Killed.

HJR 36, in favor of Fred Lahaye.

Killed.

HJR 37, relative to the construction of armories.

Engrossed. Chapter 288, Laws of 1961.

HJR 38, providing funds for improving the accoustics in representatives hall.

Killed.

HJR 39, providing for a study of railroad problems in New Hampshire.

Killed.

HJR 40, providing for a manual on powers and duties of county conventions.

Killed.

HJR 41, providing funds for the purchase of certain equipment for the office of the secretary of state.

Engrossed. Chapter 296, Laws of 1961.

HJR 42, relative to funds for improvements at Chandler's Cove.

Killed.

HJR 43, in favor of estate of Francis P. Plante.

Engrossed. Chapter 301, Laws of 1961.

HJR 44, in favor of R. Wilbur Potter.

Engrossed. Chapter 307, Laws of 1961.

HJR 45, relative to temporary and seasonal employees and providing salary increases for certain state officials.

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HJR 46, providing for a study of the criminal laws of the state.

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